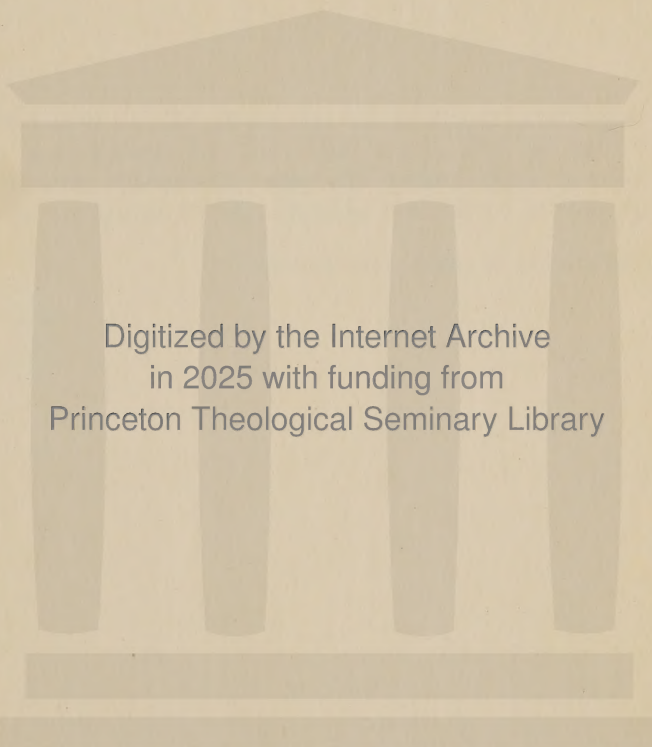


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THE COMMONWEALTH OF ENGLAND

Be conversant in the speeches, declarations and transactions occasioned by the late wars, out of which more natural knowledge may be sucked than is ordinarily to be found in the mouldy records of antiquity.

Francis Osborne, *Advice to a Son* (1658)



OLIVER CROMWELL

The Commonwealth of England

DOCUMENTS OF THE ENGLISH CIVIL WARS,
THE COMMONWEALTH AND PROTECTORATE

1641 - 1660

Edited with an Introduction by
CHARLES BLITZER



G. P. Putnam's Sons

New York

For John and Amy

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Chronology

1640

- April 13: Meeting of the *Short Parliament*, which refused to grant money to the King (dissolved May 5).
October 26: Conclusion of the *Second Bishops' War*; Charles I agrees to pay £850 a day to the Scotch army until conclusion of a permanent settlement.
November 3: Meeting of the *Long Parliament*.
November 11: Impeachment of *Strafford* and *Laud*.

1641

- May 12: Execution of *Strafford*.
May 15: *Triennial Act*, requiring the summoning of parliament every three years even without the initiative of the Crown.
July: Abolition of courts of *Star Chamber* and *High Commission* by parliament.
December 1: The *Grand Remonstrance*, summarizing parliament's grievances, passed in Commons by eleven votes.

1642

- January 3: Impeachment of *six members* of parliament by Charles I.
January 10: Charles I leaves London; joined in York (in March) by 32 peers and 65 members of Commons. Henceforth the parliament at Westminster passes ordinances, without the king's approval and the Great Seal.
July: Parliament appoints a *committee of public safety* and puts Essex in command of an army of 20,000 foot soldiers and 4000 cavalry.
August 22: Charles I raises the royal standard at Nottingham; beginning of the *First Civil War* (1642-1646).
October 23: Battle of *Edgehill*, a draw.

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1643

September 25: The *Solemn League and Covenant* signed by 25 peers and 288 members of Commons; the Scots now agree to aid the parliamentary cause.

1644

January: Charles calls a *Royalist Parliament* at Oxford.

February 15: Establishment of the *Committee of the Two Kingdoms* (England and Scotland) for cooperative action against the king.

July 2: Battle of *Marston Moor*, defeat of Prince Rupert by Cromwell.

1645

January-February: The *Treaty of Uxbridge*, a period of truce during which parliament's proposals for settlement were rejected by Charles.

April 3: *Self-Denying Ordinance*, excluding members of either house of parliament from military command (Fairfax succeeds Essex as parliamentary captain-general; Cromwell, for whom an exception is made, becomes lieutenant-general).
Reorganization of the parliamentary army: the *New Model*.

June 14: The *Battle of Naseby*, decisive defeat of the king.

1646

May 5: *Surrender of Charles I* to the Scots.

July: Parliament submits the *Newcastle Proposals* to the captive king, who rejects them.

1647

January 30: The Scots surrender Charles I to parliament in return for their back pay (£400,000).

June 4: An army detachment under Cornet Joyce seizes the king at Holmby House to prevent an agreement between the king and presbyterian parliamentarians.

August 1: The *Heads of Proposals* offered to the king by the Army Council.

CHRONOLOGY

October 28: *Agreement of the People* proposed by Levellers in the army. *Putney Debates* follow.

November 11: Charles I flees from Hampton Court to the Isle of Wight.

December 24: Parliament proposes the *Four Bills* to the king, who rejects them (December 28) after making a secret treaty with the Scots (December 26) in which he agrees to abolish episcopacy in England and restore presbyterianism.

1648

January 15: Parliament renounces allegiance to the king and votes to have no further dealings with him. Start of the *Second Civil War*.

August 17-20: The *Battle of Preston Pans*; Cromwell's victory over a Scottish army under the duke of Hamilton ends the war.

July-December: The *Treaty of Newport*, further negotiations between parliament and the king.

December 1: Charles I again seized by the Army.

December 6-7: *Pride's Purge*; Colonel Pride forcibly expels 96 presbyterian members from parliament, leaving only some 60 members remaining in the Long Parliament, known henceforth as *The Rump*.

December 13: The Rump votes to bring Charles I to trial.

1649

January 20-27: *Trial of Charles I* before the High Court of Justice.

January 30: *Execution* of Charles I.

February-May: Establishment of the *Commonwealth*.

February 5: The Scots proclaim *Charles II* king.

September 12: Massacre of *Drogheda* (in Ireland) as Cromwell subdues rebellion there.

1650

June 24: Charles II lands in Scotland.

September 3: The Scotch under Leslie are defeated by Cromwell at *Dunbar*.

1651

September 3: Total defeat of the royalists by Cromwell at *Worcester*; Charles II escapes in disguise and flees to France.

October 9: The *Navigation Act*.

1652

July 8: War with the Dutch (until April 5, 1654).

1653

April 20: Cromwell dismisses the Rump and dissolves the Council of State.

July 4: Meeting of *Barebone's Parliament* (also, the Little or Nominated Parliament).

December 12: Parliament resigns its powers to Cromwell.

December 16: The *Instrument of Government*; establishment of the *Protectorate*.

1654

September 3: Meeting of the first Protectorate parliament.

1655

January 22: Dissolution of the first Protectorate parliament.

1656

May: War with *Spain* (until 1659).

September 17: Meeting of the second Protectorate parliament.

1657

April 20: Victory of Admiral Blake over the Spanish off *Santa Cruz*.

March-May: Parliament passes the *Humble Petition and Advice*, altering the constitution of the Protectorate: establishment of a second legislative house, reduction of the power of the Council of State, toleration for all trinitarian Christians except Episcopalians and Roman Catholics.

May 8: Cromwell refuses the Crown.

1658

June 4: English victory over the Spanish outside Dunkirk in the *Battle of the Dunes*.

September 3: Death of Oliver Cromwell; his son *Richard* succeeds him as Protector.

1659

January 27: the third Protectorate parliament meets.

April 22: Richard Cromwell dissolves parliament.

May 7: *The Rump* of the Long Parliament reassembles and Richard resigns as Protector.

October: The Rump is expelled by the army under Lambert.

December 26: The Rump is restored.

1660

February 3: *General Monck* leads his army from Scotland to London.

February 21: Reestablishment of the *Long Parliament* (finally dissolved on March 16).

April 14: Charles II's *Declaration of Breda*.

May 1: *Convention Parliament* returns a favorable answer to Charles II and (May 8) proclaims him king.

May 29: Charles II enters London.

Introduction

ON March 24, 1603, the first Queen Elizabeth, who had ruled England for nearly half a century, died at her palace in Richmond. In her last official act she named as her successor James Stuart, the son of Mary, Queen of Scots. With a clarity quite unusual in human history, the death of the queen and the accession to the throne of James I marked the beginning of a constitutional crisis that was to continue with varying degrees of intensity for almost exactly a century. Nor is it really surprising that this should have been the case. Throughout her long and glorious reign Elizabeth had contrived with surpassing skill to prevent the development of irreconcilable conflicts among her subjects or between her subjects and the Crown. Or, to be more precise, she had through the arts of compromise and cajolery and adept political maneuvering prevented the *expression* of such conflicts as did exist. A measure of her success in this enterprise is to be found in the very violence with which conflict erupted when her influence was removed, a violence which revealed the presence within English society of the most profound tensions and cleavages. It may be argued that even so supremely gifted a ruler as Elizabeth could not have postponed much longer the coming of the storm. In the event, this question never arose, for history provided England, in the person of Elizabeth's immediate successors, two monarchs as perfectly suited by conviction and temperament to precipitate crises as she had been to avert them.

James had barely arrived in London after his journey down from Scotland when he was presented with a petition allegedly signed by a thousand puritan clergymen, demanding the reform of abuses in the English Church; within the year, two plots against the king—the so-called “Main” and “Bye”—had been uncovered. Remarkably little time was required to establish the pattern that was to dominate English politics for the next three

INTRODUCTION

generations. As the "millenary" petition of 1603 had revealed the discontent of the Puritans, so the Gunpowder Plot of 1605 revealed the desperation of England's Roman Catholics; the king, dedicated to the maintenance of the episcopal Church of England, found himself the object of the suspicion and growing hatred of men of both extremes. At the same time, he found himself engaged in an apparently never-ending struggle with parliament over money. The chronic bankruptcy of the Crown—James had inherited a debt of £400,000 from Elizabeth and did not possess revenues adequate even for normal day-to-day expenses—forced the king to appeal to parliament for appropriations, and hopefully for a regular yearly income sufficient to meet his needs. The parliamentarians, however, were quick to realize that their financial power could be used to great effect in negotiating with the king, even to the point of actually controlling his policies. At first, it seemed that James might succeed in winning a guarantee of £200,000 a year by agreeing to surrender some of the feudal privileges of the Crown; negotiations over a "Great Contract" occupied much of the attention of James's first parliament. By the end of 1610, however, this prospect had disappeared and the parliament was dismissed in February of 1611. The composition and conduct of James's second parliament, which met in April of 1614, revealed the existence of another crucial element in the developing crisis. Nearly half the members of the House of Commons in this parliament were "new men," both in the sense that they had not sat in parliament before and in the sense that they represented a social and economic group that was becoming ever more important in the nation's affairs. Much has been written about the "emergence" of the gentry in 16th and 17th century England, and this is not the place to describe or add to the controversy that has been occasioned by this complex phenomenon. It is enough here to note that an extraordinary number of such men—ambitious, educated landowners for the most part—sat in the parliaments of James I and Charles I and quickly rose to positions of leadership. To the extent, then, that the parliament of 1614 was dominated by these men, its behavior gave ominous signs for the future. For two months and two days the House of Commons, which contained such potential leaders as John Eliot and John Pym, fought with the king over the question of royal revenues. When

parliament was dissolved on June 7 it had not enacted a single piece of legislation, a record which won for it the name "The Addled Parliament."

All the elements that we have noted came together with dramatic clarity in the third parliament of James I, which met in January, 1621, against the background of the Thirty Years' War. The attention of England was focussed upon the plight of the Elector Palatine, Frederick V, the leader of militant protestantism on the Continent and the son-in-law of King James. Both because of the sentimental appeal of the exiled "Winter King," and because of its firm commitment to the defense of the protestant cause, parliament was eager to support English intervention in the Palatinate and immediately voted money for this purpose. The King's policies, however, were more complex. Although prepared half-heartedly to come to the aid of his daughter's husband, James was much more interested in arranging for the marriage of his son and heir to the Infanta of Spain. The prospect of such an alliance with the arch-foe of protestantism was, of course, utterly abhorrent to English opinion; the vehemence with which the plan was greeted could have come as a surprise only to a ruler as obtuse and insensitive to public opinion as James I. But the evidence indicates that James *was* surprised by the reaction of his subjects, and particularly of his House of Commons. In any event, he was most assuredly not prepared to tolerate what he considered unconscionable and unconstitutional meddling with his royal prerogative. When the Commons presumed to draw up a petition urging the king to abandon the proposed Spanish marriage and to place himself at the head of a great anti-Catholic alliance, James's rage knew no bounds. He summoned representatives of the Commons and, when they arrived in his presence, instructed an attendant to "bring stools for these ambassadors." He then proceeded to deliver a stinging rebuke to the parliament for having interfered in matters that were solely within his jurisdiction, warning the members that he considered himself "very free and able to punish any man's misdemeanors in parliament, as well during their sitting as after—which we mean not to spare hereafter upon any occasion of any man's insolent behavior there." The threat was not long in being realized. When, in December of 1621, the Parliament issued the Great Protestation, stating that "the liber-

ties, franchises, privileges, and jurisdictions of Parliament are the ancient and undoubted birthright and inheritance of the subjects of England, and that the arduous and urgent affairs concerning the king, state, and defense of the realm . . . are proper subjects and matter of council and debate in Parliament," King James ordered that the Journal of the House of Commons be brought to him in his Privy Council and proceeded to tear from it the page containing the Protestation. He then dissolved the parliament and imprisoned several of its leaders, including Coke, Pym and Selden. The financial problems which had prompted the summoning of parliament a year before remained unsolved, of course.

It would serve little purpose for us to trace the events of England's deepening crisis to their violent conclusion. The rapidity with which the situation had deteriorated in the first eighteen years of the reign of James I makes it perhaps surprising that twenty more years were needed to produce the final break, but apart from the inevitable differences of circumstance and personality the pattern of these twenty years was not in its essence different from that which dominated the period we have just surveyed. We must now stop to consider more carefully the nature and significance of this pattern.

When one passes beyond the wicked-King-and-fanatical-Puritan sort of theory and seeks to discover the underlying reality of the crisis that rent English society and government in the seventeenth century, a number of plausible explanations present themselves or are presented by historians. Among these, the religious, the sociological and the political explanations seem most worthy of notice.

Surely there is much to be said for viewing the English Civil Wars as the outcome of a century of religious controversy following the Protestant Reformation. Although the persecuted Roman Catholics played but a small role in the events leading up to the wars, the enmity among the various Protestant sects of England, and between them all and the Anglican Church, undoubtedly occupied a major place in the consciousness of the leading participants in these events. One simply could not hope to describe English politics during this period, much less to explain them, without repeated references to religious opinions

and alignments. But we are often reminded that ideologies in general, and religious ideologies in particular, are but projections of a more "real" reality which is economic and social. One need not be a Marxist to appreciate the importance of economic facts and of class structure in the shaping of political development; three centuries before Marx, James Harrington interpreted the English Civil Wars as the inevitable outcome of a shift in the ownership of property from the aristocracy to the gentry. It is certainly reasonable to suppose that any such profound sociological transformation would have had important political consequences. But some historians have found the whole notion of "the rise of the gentry" extremely dubious, especially as an explanation of the Civil Wars. They point out that in this pre-market society politics tended to dominate economics and that economic success was more likely to be the result than the cause of political power. If this was the case, then surely the basic explanation of the Civil Wars must lie in the realm of politics. What appeared to be a titanic struggle for political power was in fact just that, a struggle between the Stuart kings, who wished to wield absolute authority, and their subjects, who increasingly demanded a major role in the conduct of affairs.

Which of these explanations, then, is the true one? The fact that each is plausible, and that considerable evidence can be adduced to support each, raises the possibility that in some sense perhaps all are true. It is not very satisfactory, however, to propose that the three should somehow be added together or mechanically combined to create a sort of triune theory. What seems to be needed is a theory at a higher level of generality which will have a logic and persuasiveness of its own and will be able to account for that which is valuable in each of our earlier theories.

It may be suggested that what England experienced in the seventeenth century was a constitutional crisis of the most profound scope and importance. What was involved was nothing less than the collapse of her traditional constitutional order and the agonizing birth of a new order which has persisted in its general outlines until the present day. Unquestionably the demise of the old order was hastened by the sweeping sociological changes that had occurred during the sixteenth century and con-

tinued into the seventeenth; the same can be said of the influence of the Protestant Reformation and its aftermath of religious divisions and hostilities. Similarly, the shape of the newly emerging order was to a substantial degree a reflection of these economic, social and religious realities. But it is the larger constitutional issue—the issue of the very nature of political power and of its relation to religion and to the community as a whole—that gives meaning to each of these isolated developments.

Briefly, the seventeenth century witnessed throughout most of Europe the death-throes of the traditional order of government by estates, and in its place the more or less complete emergence of centralized, sovereign political power, of the modern state. Crucial to this development was the concept of *sovereignty*, of a power subject to no earthly superior and capable of imposing itself uniformly throughout a definite territory. The traditional system, which had developed out of the institutions and practices of mediaeval feudalism, had been founded upon an explicit duality of power. When in the sixteenth century Sir Thomas Smith faced the question of the locus of supreme power in England his answer was that it lay in “the King in Parliament”—that is, in the joint action of the various estates of the realm. By the mid-seventeenth-century, however, it was clear that this dualistic arrangement had ceased to be capable of effective action; it was, in a word, obsolete. The same James Harrington who spoke of the economic basis of the English Civil Wars was among the first to recognize this fact. Characterizing the old order as “gothic,” he wrote in his *Commonwealth of Oceana*:

Your Gothic politicians seem unto me rather to have invented some new Ammunition, or Gun-powder, in their King and Parliament . . . than Government. For what is become of the Princes (a kind of people) in Germany? blown up. Where are the Estates, or the Power of the People in France? blown up. Where is that of the People in Aragon, and the rest of the Spanish kingdoms? blown up. On the other hand, where is the King of Spain's power in Holland? blown up. Where is that of the Austrian Princes in Switzerland? blown up. Nor shall any man show a reason that will be holding in prudence why the people of England have

blown up their King, but that their kings did not first blow them up. The rest is discourse for ladies.

Thus throughout Europe—in the Thirty Years' War in Germany, in the wars of the Fronde in France, in the revolt of the Netherlands, as well as in the English Civil Wars—the disintegration of the old order culminated in a violent constitutional upheaval.

But why, one may ask, had the traditional system of government by estates become obsolete? A satisfactory answer to this question would involve little less than an account of some three centuries of European history; short of this we may note just two particularly salient developments that contributed to the breakdown of the old order. In the first place, it is clear that until quite recently national governments were not called upon to *do* very much. The spiritual well-being of their subjects was the concern of the Church; their material welfare was either a private matter or the affair of local authorities; even responsibility for the maintenance of domestic order tended to be decentralized, as was the administration of justice for many centuries. Under these circumstances, governments tended to occupy themselves only with foreign affairs and with extraordinary domestic emergencies. In the course of time, however, the growth of populations and the development of increasingly complex and interdependent national economics multiplied the tasks that faced the governments of the more progressive nations. Institutions and procedures that had been adequate in the past were no longer capable of meeting the demands upon them, and especially those demands emanating from the mercantile and manufacturing classes which involved action against the interests of the traditionally privileged classes so firmly entrenched in the old order. The familiar alliance of the middle classes with progressive, centralizing monarchs was a natural outcome of this combination of circumstances.

It is conceivable that the traditional dualistic, decentralized order might in the course of time have been peacefully reshaped to meet the new demands upon it if it had not been for a second and more dramatic development: the Protestant Reformation of the sixteenth century. There can be very little doubt that the viability of the old order, while it lasted, was utterly depend-

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ent upon the existence of religious uniformity. The homogeneity of religious belief and the common acceptance of a single religious authority were the cement that held together the otherwise fragmentary institutions of the mediaeval world. With the coming of the Reformation and the consequent appearance of a multitude of warring religious sects and churches, the situation was explosively reversed. Religion not only ceased to be a unifying force in society, but actually became the major occasion of disunity in every country of Europe. Thus, traditional governments were at one and the same time robbed of their chief source of strength and confronted with virtually insoluble problems in the maintenance of domestic order. Whatever the old dualistic institutions may have been capable of accomplishing under the most favorable of circumstances, they were clearly incapable of even surviving in the face of this situation. Introducing religious passions and controversies into the government of king and estates was like pouring jet fuel into a Model T engine; one by one the established constitutions of Europe were, in Harrington's phrase, blown up.

If we turn once again to the situation in seventeenth century England, keeping the more general picture in mind, certain facts stand out clearly. In the first place, it is apparent that the disintegration of the old order was far advanced. James I's bitter reference to the representatives of parliament as "these ambassadors" is little more than a literal statement of fact. The ties that had bound the king and his estates together as members of a single order had now been dissolved and they confronted each other as alien, and more often than not as hostile, powers. As puritan opinion grew more and more dominant in the House of Commons, the possibility of cooperation between the Anglican king and his parliament grew more and more remote; at the same time, the need for decisive action by the government grew more and more urgent. In this context, it is clear that one cannot simply dismiss the successors of Elizabeth as hopeless reactionaries determined to stem the tide of progress. On the contrary, in the seventeenth century the forces of progress and the claims of the emerging modern state were almost always identified with the institution of absolute monarchy, as is shown by the examples of Louis XIII and Louis XIV in France, of the

Great Elector in Brandenburg-Prussia, and of Peter the Great in Russia. When James I declared to his first parliament that "The state of monarchy is the supremest thing upon earth," he expressed a view that would have been accepted without demur by rulers and subjects alike throughout most of Europe. Faced with the need for vigorous and decisive action at home and abroad, what was more natural than that the nations of Europe should have turned to monarchical absolutism? Faced with the prospect or the reality of bloody religious civil war, what was more natural than that they should have accepted the formula *cuius regio, eius religio*, giving to the ruler the right to impose his religion uniformly throughout the nation? Indeed, in the case of most European nations it is difficult to see what alternatives were available apart from absolutism on the one hand and perpetual chaos and warfare on the other.

But it is precisely in this respect that the situation in England was most different from that on the Continent. For in England, during the seventeenth century, a third possibility did appear and was eventually realized: a modern, sovereign state controlled not by an absolute monarch but by an elected parliament. Although in the first instance the issue of the very existence of sovereign power had been forced upon a reluctant people by the pretensions of the Stuarts, as time passed the parliament began to counter the kings' claims with similar ones of their own. The process can be very clearly followed by observing the changing temper of the parliaments of James I and Charles I. The aim of the first parliaments of James was quite simply to preserve the old order of "the king in parliament"; by the middle of Charles' reign parliament had come (perhaps unwittingly) to change its ground and to demand ultimate power for itself. Once again, James Harrington saw clearly what most of his contemporaries only sensed: "Where the Sovereign Power is not as entire and absolute as in Monarchy itself," he wrote, "there can be no government at all. It is not the limitation of Sovereign Power that is the cause of a Commonwealth. . . ." Could there, then, exist a commonwealth governed by a sovereign parliament without a king? This is the first question that was raised in the most urgent and practical fashion by the English Civil Wars.

A second and perhaps even more significant question soon

followed: was effective government necessarily absolute government, and were sovereignty and constitutional limitations mutually exclusive? On the whole, experience seemed to suggest an affirmative answer. The restraints implicit in the old dualism having once been removed, what could prevent despotic actions by the newly sovereign ruler? Had the English people escaped the intended absolutism of their Stuart kings only to fall victim to the tyranny of parliaments or of a military dictatorship? These questions underlay the troubled years of the Commonwealth and the Protectorate, becoming visible occasionally in the continuing struggles between Oliver Cromwell and his parliaments. Unexpectedly, it was Cromwell who was dedicated to the task of erecting a genuine constitutional order in England in the face of persistent parliamentary opposition and popular indifference or hostility. On the success or failure of his attempt hinged the fate of popular government for generations to come.

Because of the historical importance of the enterprise in which Cromwell was engaged, it will be worthwhile to look briefly at one of the episodes in his continuing struggle. In the summer of 1656 a Quaker named James Naylor entered the city of Bristol riding upon a donkey and preceeded by maidens strewing flowers and rushes in his path. When word of this blasphemous parody of Christ's entry into Jerusalem reached the capitol the sober puritan members of parliament were scandalized. They immediately ordered that Naylor should be brought to London, and they set about devising an appropriate punishment for him. In his capacity as Lord Protector, Cromwell inquired of parliament by what right it proposed to try and punish an accused blasphemer. Although the distinction between legislative, executive and judicial powers was less sharp in the seventeenth century than it is today, this was nevertheless a curious activity for the parliament to undertake. Furthermore, as Cromwell pointed out, the Instrument of Government explicitly guaranteed religious freedom to Christians who were neither popish nor prelatical. Since the House was none too sure of the answer to Cromwell's questions it returned an evasive reply—and proceeded with the prosecution of Naylor. Finally, in its wisdom it passed sentence. The offender was condemned to be whipped twice through the streets of London, to have his tongue bored through, to be branded, and then to be

imprisoned. Although Cromwell was powerless to prevent the execution of this barbarous sentence, the whole affair confirmed his impression that the existing constitution was an insufficient barrier against tyrannical government. It was in the weeks immediately following the Naylor case that Cromwell very nearly accepted the title of king that had been offered to him—not out of an unquenched thirst for power, but in the hope that the recreation of the monarchy might serve to strengthen the forces of constitutional order. It was at the same time that Cromwell did accept the amendment to the Instrument of Government known as the Humble Petition and Advice, an amendment calling for the establishment of a second legislative chamber. In justifying this move, the Lord Protector spoke the following characteristic words to his Council of Officers:

After you had exercised this power a while, impatient were you till a Parliament was called. I gave my vote against it, but you were confident by your own strength and interest to get men chosen to your hearts' desire. How you have failed therein . . . is well known. It is time to come to a settlement and lay aside arbitrary proceedings. . . . And by the proceedings of this Parliament, you see they stand in need of a check or balancing power; for the case of James Naylor might happen to be your own case. By their judicial power, they fall upon life and member, and the Instrument in being doth not enable me to control it.

These hardly seem the words of a power-mad tyrant. Rather—and herein lies the pathos of Cromwell's last years—they are the words of a statesman striving in the face of hopeless odds to establish an enduring constitutional order based upon popular will and operating through the rule of law.

It is significant that when he was confronted with parliamentary tyranny Cromwell's thoughts should have turned to the Crown and to a second legislative chamber, for both were of course central features of the old monarchical order that had been discarded in 1649. In a very real sense the restoration of the monarchy in 1660 had been foreshadowed in the events surrounding the case of James Naylor. What, then, is the meaning of the restoration? Did it mark the complete failure of The Good Old Cause, of England's attempt to fashion a new, popular

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constitutional system of government? So far as the immediate future was concerned, the answer is that it did; there is no mistaking the pleasure with which the people of England greeted the return of Charles II and the relief they felt when the rule of the "Saints" was ended. It is not unreasonable to suggest that, like Cromwell three years earlier, they sensed that in the old order lay the best hope for the preservation of constitutional liberties. Precisely because of its dualism, its lack of clearly defined sovereignty, the government of the king in parliament posed less of a threat to these liberties than had an unbridled parliament filled with puritan extremists. But of course the old order *was* the old order; although the relative power of parliament had been greatly enhanced by the events of the last twenty years, the fundamental ambiguities remained and were hardly less troublesome under the last two Stuarts than they had been under the first two. By the time another generation had passed, witnessing the same kinds of conflict that had led to the civil wars, the secularization of English politics and the emergence of a truly national constitutional consensus made possible for the first time the realization of the dream of the 1640's and 50's. The liberties for which Englishmen had died in their great Civil Wars were definitively established in the Glorious Revolution of 1688.

The very fact that by the end of the seventeenth century the English had mastered the techniques of modern constitutional government has tended to obscure the magnitude of their achievement. Flexible yet stable, intricate in its operation yet simple in its structure, the venerable British constitution has stood as an inspiration if not always as a model for those in later ages who have sought to secure for themselves and for their posterity the blessings of popular governments and freedom under law. But on the whole men have been inclined to accept Mr. Podsnap's view of its origins:

"I merely referred," Mr. Podsnap explained, with a sense of meritorious proprietorship, "to our Constitution, Sir. We Englishmen are Very Proud of our Constitution, Sir. It was Bestowed Upon Us By Providence. No other Country is so Favoured as This Country."

Indeed, when one looks back over the glorious history of the British constitution, one hesitates to deny that Providence did have a hand in its creation. But at the very least we must observe that in this instance (as in others) Providence chose to manifest itself through the processes of human history, with all its bloodiness, its false starts and its apparent aimlessness. The fact is that the British constitution—like the famous British good sense and moderation that make it work—is a phenomenon of fairly recent origin. Nor did it spring full-blown from the brow of History. Rather it emerged from the matrix of civil war and revolution over the course of the century that began with the accession to the English throne of King James I.

EDITOR'S NOTE

The task of selecting a relatively small number of items from among the great wealth of English writing of the period 1641-1660 is at best a painful one. In order to simplify the process, certain more or less arbitrary ground rules were established at the outset: all works of primarily literary and artistic interest were to be omitted, on the ground that they might fairly easily be found elsewhere; short excerpts from systematic treatises on philosophy, theology and political theory were to be avoided in most cases, on the ground that works of this sort require to be read in their entirety; sermons and inspirational writings were ruled out, as were writings and documents having to do with foreign relations, on the ground that they were peripheral to the central theme of this collection. Even within the circumscribed area that remained regrettable omissions were necessary—I think particularly of the decision to leave out Aubrey's delightful and penetrating biographical sketches. Perhaps the only tenable line of defense available to an editor under these circumstances is to point to the selections that have been included and to hope that they will justify themselves.

A second difficult choice arises in the matter of spelling and punctuation: to modernize or not to modernize? Does one opt for historical accuracy and period flavor, or for readability and ease of handling? For various reasons, including sad experience with proof-reading of seventeenth century orthography, I have chosen to modernize both spelling and punctuation throughout this collection. Except in the case of the Putney debates and Evelyn's Diary, both of which were written hastily in the first place, this has involved no very extensive changes. With the debates and the diary it proved necessary occasionally to add or alter words; nothing, however, was done to alter the meaning of the originals and the general policy was to stop with the minimum of changes required for intelligibility.

I

The Coming of War

THE historian who seeks to discover the origins of any major historical event must beware lest he find himself trapped in an infinite regression, as each promising "cause" is revealed in turn to be but the effect of some antecedent cause. Nowhere is this danger more manifest than in the seductive enterprise of seeking the beginning of the chain of events that led to the outbreak of civil war in England in the summer of 1642. Surely the decision to resort to force was a consequence of the irreconcilable conflict between Charles I and the Long Parliament. But the Long Parliament would not have been summoned if Charles had not desperately needed money. And Charles would not have desperately needed money if he had not been defeated in the Bishops' Wars. But he would not have been defeated in the wars if he had not wished to impose episcopal church government upon the Scots. And he would not have. . . . Enough; the point is clear.

To state the problem, however, is not to solve it. Where should one begin an account of the English Civil Wars? James Harrington [2] felt that it was necessary to go back to the great sociological revolution that had begun, he believed, in the time of Henry VII and had reached its climax with the dissolution of the monasteries by Henry VIII. Samuel Gardiner's collection of constitutional documents of the civil wars begins with the accession of James I in 1603. Persuasive as these and other examples are, we have chosen a different solution, beginning our account at just the moment when the complex balance of forces inclined irrevocably toward war. The narrowness of the margin by which the Grand Remonstrance was passed in

the House of Commons—159 votes to 148—suggests that this moment arrived in the autumn of 1641. The summary of past grievances and the demands for future reform contained in the petition accompanying the Grand Remonstrance [1] make it a convenient introduction to the troubled period preceding the outbreak of hostilities.

The inexorable movement of events is revealed in the documents from the year 1642: exasperated by the intransigence of parliament, the king rashly attempted to remove the most troublesome of its leaders [4]; as Maurice Ashley has written, "this action was not only unconstitutional and unconvincing, but, what was worse, ineffective." The Commons' response [5] left little doubt that only force could resolve the issue, and even this degree of doubt was crushed by the parliamentary ultimatum contained in the Nineteen Propositions [6]. Immediately both king and parliament set out to raise military forces for the war that both now knew was coming [7, 8]. In August of 1642 the royal standard was raised at Nottingham and the issue was joined. Thirteen months later the final alignment of forces was created by the league between parliament and the Scots [9].

1. *THE GRAND REMONSTRANCE*

[Accompanying Petition]

(1 December 1641)

Most Gracious Sovereign,

Your Majesty's most humble and faithful subjects the Commons in this present Parliament assembled, do with much thankfulness acknowledge the great mercy and favor of God, in giving your Majesty a safe and peaceable return out of Scotland into your kingdom of England, where the pressing dangers and distempers of the State have caused us with much earnestness to desire the comfort of your gracious presence, and likewise the unity and justice of your royal authority, to give more life and power to the dutiful and loyal counsels and endeavors of your Parliament for the prevention of that eminent ruin and destruction wherein your kingdoms of England and Scotland are threatened. The duty which we owe to your Majesty and our country cannot but make us very sensible and

apprehensive, that the multiplicity, sharpness and malignity of those evils under which we have now many years suffered are fomented and cherished by a corrupt and ill-affected party, who amongst other their mischievous devices for the alteration of religion and government, have sought by many false scandals and imputations, cunningly insinuated and dispersed amongst the people, to blemish and disgrace our proceedings in this Parliament, and to get themselves a party and faction amongst your subjects, for the better strengthening themselves in their wicked courses, and hindering those provisions and remedies which might, by the wisdom of your Majesty and counsel of your Parliament, be opposed against them.

For preventing whereof, and the better information of your Majesty, your Peers and all other your loyal subjects, we have been necessitated to make a declaration of the state of the kingdom, both before and since the assembly of this Parliament, unto this time, which we do humbly present to your Majesty, without the least intention to lay any blemish upon your royal person, but only to represent how your royal authority and trust have been abused, to the great prejudice and danger of your Majesty, and of all your good subjects.

And because we have good reason to believe that those malignant parties, whose proceedings evidently appear to be mainly for the advantage and increase of Popery, is composed, set up and acted by the subtle practice of the Jesuits and other engineers and factors for Rome, and to the great danger of this kingdom and most grievous affliction of your loyal subjects, have so far prevailed as to corrupt divers of your Bishops and others in prime places of the Church, and also to bring divers of these instruments to be of your Privy Council, and other employments of trust and nearness about your Majesty, the Prince, and the rest of your royal children.

And by this means have had such an operation in your counsel and the most important affairs and proceedings of your government, that a most dangerous division and chargeable preparation for war betwixt your kingdoms of England and Scotland, the increase of jealousies betwixt your Majesty and your most obedient subjects, the violent distraction and interruption of this Parliament, the insurrection of the Papists in your kingdom of Ireland, and bloody massacre of your people,

have been not only endeavored and attempted, but in a great measure compassed and effected.

For preventing the final accomplishment whereof, your poor subjects are enforced to engage their persons and estates to the maintaining of a very expensive and dangerous war, notwithstanding they have already since the beginning of this Parliament undergone the charge of £150,000 sterling, or thereabouts, for the necessary support and supply of your Majesty in these present and perilous designs. And because all our most faithful endeavors and engagements will be ineffectual for the peace, safety and preservation of your Majesty and your people, if some present, real and effectual course be not taken for suppressing this wicked and malignant party:

We, your most humble and obedient subjects, do with all faithfulness and humility beseech your Majesty,—

1. That you will be graciously pleased to concur with the humble desires of your people in a parliamentary way, for the preserving the peace and safety of the kingdom from the malicious designs of the Popish party:

For depriving the Bishops of their votes in Parliament, and abridging their immoderate power usurped over the clergy, and other your good subjects, which they have perniciously abused to the hazard of religion and great prejudice and oppression to the laws of the kingdom and just liberty of your people:

For the taking away such oppressions in religion, Church government and discipline, as have been brought in and fomented by them:

For uniting all such your loyal subjects together as join in the same fundamental truths against the Papists, by removing some oppressions and unnecessary ceremonies by which divers weak consciences have been scrupled, and seem to be divided from the rest, and for the due execution of those laws which have been made for securing the liberty of your subjects.

2. That your Majesty will likewise be pleased to remove from your council all such as persist to favor and promote any of those pressures and corruptions wherewith your people have been grieved, and that for the future your Majesty will vouchsafe to employ such persons in your great and public affairs, and to take such to be near you in places of trust, as your Parliament may have cause to confide in; that in your princely good-

ness to your people you will reject and refuse all mediation and solicitation to the contrary, how powerful and near soever.

3. That you will be pleased to forbear to alienate any of the forfeited and escheated lands in Ireland which shall accrue to your Crown by reason of this rebellion, that out of them the Crown may be the better supported, and some satisfaction made to your subjects of this kingdom for the great expenses they are like to undergo in this war.

Which humble desires of ours being graciously fulfilled by your Majesty, we will, by the blessing and favor of God, most cheerfully undergo the hazard and expenses of this war, and apply ourselves to such other courses and counsels as may support your real estate with honor and plenty at home, with power and reputation abroad, and by our loyal affections, obedience and service, lay a sure and lasting foundation of the greatness and prosperity of your Majesty, and your royal posterity in future times.

[The text of the Grand Remonstrance follows.]

2. AN HISTORICAL EXPLANATION OF THE CIVIL WARS

This fire about the middle of the reign of King John began to break out. And whereas the predecessors of this king had divers times been forced to summon councils, resembling those of the Saxons, to which the lords only that were barons by dominion and tenure had hitherto repaired, John seeing the effects of such dominion began first (not to call such as were barons by writs, for that was according to the practice of ancient times, but) to call such by writs as were otherwise no barons, by which means striving to avoid the consequence of the balance of property, in coming unwillingly to set the government straight, he was the first that set it awry. For the barons in his reign and his successors', having vindicated their ancient authority, restored the parliament with all the rights and privileges of the same, saving that from henceforth the kings had found out a way whereby to help themselves against the mighty creatures of their own, and such as had no other support but by their favor. By which means this government being indeed the *masterpiece of modern prudence* has been

cried up to the skies as the only invention whereby at once to maintain the sovereignty of a prince and the liberty of the people, whereas indeed it has been no other than a wrestling match wherein the nobility as they have been stronger have thrown the king; or the king where he has had a nobility and could bring them to his party has thrown the people, as in France and Spain; or the people where they have had no nobility or could get them to be of their party have thrown the king, as in Holland and of latter times in England. But they came not to this strength but by such approaches and degrees as remain to be opened further. For whereas the barons by writs (as the sixty-four abbots and thirty-six priors that were so called) were but *pro tempore*, Richard II, being the twelfth king from the conquest, began to make barons by letters patent, with the addition of honorary pensions for the maintenance of their dignities to them and their heirs, so that they were hands in the king's purse and had no shoulders for his throne. Of these when the house of peers came to be full, as will be seen hereafter, there was nothing more empty. But for the present, the throne having other supports, they did not hurt that so much as they did the king. For the old barons, taking Richard's prodigality to such creatures so ill that they deposed him, got the trick of it and never gave over setting up and pulling down of their kings according to their various interests, and that faction of the White and Red into which they had been thenceforth divided, till Henry VII, the eighteenth king from the conquest, was more by their favor than his right advanced to the crown. This king through his natural subtilty, reflecting at once upon the greatness of their power and the inconstancy of their favor, began to find another flaw in this kind of government, which is also noted by Machiavelli, namely, that a throne supported by a nobility is not so hard to be ascended as kept warm. Wherefore his secret jealousy lest the dissension of the nobility, as it brought him in, might throw him out, travelled in ways undiscovered by them unto ends as little foreseen by himself. While to establish his own safety he, by mixing water with their wine, first began to open those sluices that have since overwhelmed not the king only, but the throne. For whereas a nobility strikes not at the throne without which they cannot subsist, but at some king that they

do not like, popular power strikes through the king at the throne, as that which is incompatible with it. Now, that Henry in abating the power of the nobility was the cause whence it came to fall into the hands of the people, appears by those several statutes that were made in his reign—as that for population, those against retainers, and that for alienations. . . .

Henceforth the country lives and great tables of the nobility, which no longer nourished veins that would bleed for them, were fruitless and loathsome till they changed the air, and of princes became courtiers; where their revenues, never to have been exhausted by beef and mutton, were found narrow, whence followed wracking of rents and at length sale of lands, the riddance through the Statute of Alienations being rendered far more quick and facile than formerly it had been through the new invention of entails.

To this it happened that Henry VIII, the successor of that king, dissolving the abbeys brought with the declining estate of the nobility so vast a prey to the industry of the people that the balance of the commonwealth was too apparently in the popular party to be unseen by the wise counsel of Queen Elizabeth who, converting her reign through the perpetual love tricks that passed between her and her people into a kind of romance, wholly neglected the nobility. And by these degrees came the House of Commons to raise that head which since has been so high and formidable to their princes that they have looked pale upon those assemblies. Nor was there anything now wanting to the destruction of the throne but that the people, not apt to see their own strength, should be put to feel it. When a prince as stiff in disputes as the nerve of monarchy was grown slack received that unhappy encouragement from his clergy which became his utter ruin, while trusting more to their logic than the rough philosophy of his parliament, it came to an irreparable breach, for the House of Peers which alone had stood in this gap now sinking down between the king and the Commons showed that Crassus was dead and Isthmus broken. But a monarchy divested of her nobility has no refuge under heaven but an army. *Wherefore the dissolution of this government caused the war, not the war the dissolution of this government.*

James Harrington, *The Commonwealth of Oceana* (1656)

3. ANTI-ROYALIST OPINION AT THE OUTBREAK OF WAR

B. But how came the people to be so corrupted? And what kind of people were they that did so seduce them?

A. The seducers were of various sorts. One was ministers, Ministers (as they called themselves) of Christ, and sometimes in their sermons to the people, God's Ambassadors, pretending to have a right from God to govern every one his parish, and their Assembly the whole nation.

Secondly, there were a very great number (though not comparable to the other) which (notwithstanding that the Pope's power in England, both temporal and ecclesiastical, had been by Act of Parliament abolished) did still retain a belief that we ought to be governed by the Pope, whom they pretended to be the Vicar of Christ, and in the right of Christ to be the governor of all Christian people; and these were known by the name of Papists, as the ministers I mentioned before were called Presbyterians.

Thirdly, there were not a few who in the beginning of the troubles were not discovered, but shortly after declared themselves for a Liberty of Religion; and those were of different opinions from one another. Some of them, because they would have all congregations free and independent one upon another, were called Independents; others that held baptism to infants, and to such as understood not unto what they are baptized, to be ineffectual, were called therefore Anabaptists. Others that held that Christ's kingdom was at this time to begin upon the earth were called Fifth-Monarchy Men. Besides divers other sects, as Quakers, Adamites, &c., whose names and peculiar doctrines I do not well remember. And these were the enemies which arose against his Majesty from the private interpretation of the Scripture, which had been exposed to every man's scanning in his mother tongue.

Fourthly, there were an exceeding great number of men of the better sort, that had been so educated as that in their youth, having read the books written by famous men of the ancient Grecian and Roman commonwealths concerning their polity and great actions, in which books the popular government was extolled by the glorious name of liberty, and monarchy dis-

graced by the name of tyranny, they became thereby in love with their forms of government; and out of these men were chosen the greatest part of the House of Commons; or, if they were not the greatest part, yet by advantage of their eloquence they were always able to sway the rest.

Fifthly, the City of London and other great towns of trade, having in admiration the prosperity of the Low Countries after they had revolted from their monarch Phillip the 2nd, King of Spain, were inclined to think that the change of government here would to them produce the like prosperity.

Sixthly, there were a very great number that had either wasted their fortunes or thought them too mean for the good parts they thought were in themselves; and more there were that had able bodies but saw no means how honestly to get their bread. These longed for a war, and hoped to maintain themselves hereafter by the lucky choosing of a party to side with, and consequently did for the most part serve under them that had the greatest plenty of money.

Lastly, the people in general were so ignorant of their duty, as that not one perhaps of ten thousand knew what right any man had to command him, or what necessity there was of King or Commonwealth, for which he was to part with his money against his will; but thought himself to be so much master of whatsoever he possessed that it could not be taken from him upon any pretense of common safety without his own consent. "King" they thought was but a title of the highest honor, which "gentleman," "knight," "baron," "earl," "duke" were but steps to ascend to, with the help of riches. They had no rule of equity, but precedents and custom, and he was thought wisest and fittest to be chosen for a member of Parliament that was most averse to the granting of subsidies or other public payments.

Thomas Hobbes, *Behemoth* (c. 1670)

4. THE IMPEACHMENT OF SIX PARLIAMENTARIANS (3 January 1642)

Articles of high treason and other high misdemeanors against the Lord Kimbolton, Mr. Denzil Holles, Sir Arthur Haslerigg,

Mr. John Pym, Mr. John Hampden and Mr. William Strode:

1. That they have traitorously endeavored to subvert the fundamental laws and government of the kingdom of England, to deprive the King of his regal power, and to place in subjects an arbitrary and tyrannical power over the lives, liberties and estates of His Majesty's liege people.

2. That they have traitorously endeavored, by many foul aspersions upon His Majesty and his government, to alienate the affections of his people, and to make His Majesty odious unto them.

3. That they have endeavored to draw His Majesty's late army to disobedience to His Majesty's commands, and to side with them in their traitorous demands.

4. That they have traitorously invited and encouraged a foreign power to invade His Majesty's kingdom of England.

5. That they have traitorously endeavored to subvert the rights and very being of Parliaments.

6. That for the completing of their traitorous designs they have endeavored (as far as in them lay) by force and terror to compel the Parliament to join with them in their traitorous designs, and to that end have actually raised and countenanced tumults against the King and Parliament.

7. And that they have traitorously conspired to levy, and actually have levied, war against the King.

5. A DECLARATION OF THE HOUSE OF COMMONS
TOUCHING A LATE BREACH OF
THEIR PRIVILEGES

(17 January 1642)

Whereas the chambers, studies and trunks of Mr. Denzil Holles, Sir Arthur Haslerigg, Mr. John Pym, Mr. John Hampden and Mr. William Strode, Esquires, members of the House of Commons, upon Monday the third of this instant January, by color of His Majesty's warrant, have been sealed up by Sir William Killigrew and Sir William Fleming and others, which is not only against the privilege of Parliament, but the common liberty of every subject; which said members afterwards the same day were under the like color, by Serjeant Francis, one

of His Majesty's serjeants-at-arms, contrary to all former precedents, demanded of the Speaker, sitting in the House of Commons, to be delivered unto him that he might arrest them of high treason; and whereas afterwards, the next day His Majesty in his royal person came to the said House, attended with a great multitude of men armed in warlike manner with halberds, swords and pistols, who came up to the very door of the House and placed themselves there and in other places and passages near to the said House, to the great terror and disturbance of the members then sitting, and according to their duty, in a peaceable and orderly manner, treating of the great affairs of England and Ireland; and His Majesty, having placed himself in the Speaker's chair, demanded of them the persons of the said members to be delivered unto him, which is a high breach of the rights and privileges of Parliament, and inconsistent with the liberties and freedom thereof; and whereas afterwards His Majesty did issue forth several warrants to divers officers, under his own hand, for the apprehension of the persons of the said members, which by law he cannot do; there being not all this time any legal charge or accusation, or due process of law issued against them, nor any pretense of charge made known to that House, all which are against the fundamental liberties of the subject and the rights of Parliament; whereupon we are necessitated according to our duty to declare, and we do hereby declare, that any person that shall arrest Mr. Holles, Sir Arthur Haslerigg, Mr. Pym, Mr. Hampden and Mr. Strode, or any of them, or any other members of Parliament by pretense or color of any warrant issuing out from the King only, is guilty of the breach of liberties of the subject and of the privileges of Parliament, and a public enemy to the commonwealth; and that the arresting of the said members or any of them, or of any other member of Parliament, by warrant whatsoever without a legal proceeding against them, and without consent of that House, whereof such person is a member, is against the liberty of the subject, and a breach of privileges of Parliament; and the person which shall arrest any of these persons, or any other members of the Parliament, is declared a public enemy of the commonwealth. Notwithstanding all which, we think fit farther to declare, that we are so far from any endeavor to protect any of our members that shall be in due manner prosecuted accord-

ing to the laws of the kingdom and the rights and privileges of Parliament for treason or any other misdemeanor, that none shall be more ready and willing than we ourselves to bring them to a speedy and due trial; being sensible that it equally imports us, as well to see justice done against them that are criminal as to defend the just rights and liberties of the subjects and Parliament of England.

And whereas, upon several examinations taken the 7th day of this instant January, before the committee appointed by the House of Commons to sit in London, it did fully appear that many soldiers, Papists and others, to the number of about five hundred, came with His Majesty on Tuesday last to the said House of Commons, armed with swords, pistols and other weapons, and divers of them pressed to the door of the said House, thrust away the door-keepers, and placed themselves between the said door and the ordinary attendants of His Majesty, holding up their swords, and some holding up their pistols ready cocked near the said door and saying, "I am a good marksman; I can hit right, I warrant you," and they not suffering the said door according to the custom of Parliament to be shut, but said they would have the door open, and if any opposition were against them, they made no question but they should make their party good, and that they would maintain their party; and when several members of the House of Commons were coming into the House, their attendants desiring that room might be made for them, some of the said soldiers answered, "A pox of God confound them," and others said, "A pox take the House of Commons, let them come and be hanged, what ado is here with the House of Commons?" And some of the said soldiers did likewise violently assault and by force disarm some of the attendants and servants of the members of the House of Commons waiting in the room next the said House, and upon the King's return out of the said House, many of them by wicked oaths and otherwise, expressed much discontent that some members of the said House for whom they came were not there, and others of them said, "When comes the word?" And no word being given, at His Majesty's coming out they cried, "A lane, a lane"; afterwards some of them being demanded what they thought the said company intended to have done, answered that, questionless, in the pos-

ture they were set, if the word had been given, they should have fallen upon the House of Commons and have cut all their throats. Upon all which we are of opinion, that it is sufficiently proved that the coming of the said soldiers, Papists and others, with His Majesty to the House of Commons on Tuesday last, being the 4th of this instant January, in the manner aforesaid, was to take away some of the members of the said House; and if they should have found opposition or denial, then to have fallen upon the said House in an hostile manner. And we do hereby declare, that the same was a traitorous design against the King and Parliament. And whereas the said Mr. Holles, Sir Arthur Haslerigg, Mr. Pym, Mr. Hampden and Mr. Strode, upon report of the coming of the said soldiers, Papists and others, in the warlike and hostile manner aforesaid did, with the approbation of the House, absent themselves from the service of the House, for avoiding the great and many inconveniences which otherwise apparently might have happened; since which time a printed paper, in the form of a Proclamation, bearing date the 6th day of this instant January, hath issued out for the apprehending and imprisoning of them, therein suggesting that through the conscience of their own guilt they were absent and fled, not willing to submit themselves to justice; we do further declare, that the said printed paper is false, scandalous and illegal; and that, notwithstanding the said printed paper, or any warrant issued out, or any other matter yet appearing against them or any of them, they may and ought to attend the service of the said House of Commons and the several Committees now on foot; and that it is lawful for all persons whatsoever to lodge, harbor or converse with them or any of them; and whosoever shall be questioned for the same shall be under the protection and privilege of Parliament.

And we do further declare, that the publishing of several articles purporting a form of charge of high treason against Lord Kimbolton, one of the members of the Lords' House, and against the said Mr. Holles, Sir Arthur Haslerigg, Mr. Pym, Mr. Hampden and Mr. Strode, by Sir William Killigrew, Sir William Fleming and others of the Inns of Court, and elsewhere in the King's name, was a high breach of the privilege of Parliament, a great scandal to His Majesty and his government, a seditious act manifestly tending to the subversion of the

peace of the kingdom, and an injury and dishonor to the said members, there being no legal charge or accusation against them.

That the privileges of Parliament and the liberties of the subjects so violated and broken, cannot be fully and sufficiently vindicated unless His Majesty will be graciously pleased to discover the names of those persons who advised His Majesty to issue out warrants for the sealing of the chambers and studies of the said members, to send a serjeant-at-arms to demand the said members, to issue out several warrants under His Majesty's own hand to apprehend the said members, His Majesty's coming thither in his own royal person, the publishing of the said articles and printed paper, in the form of a Proclamation, against the said members in such manner as is before declared, to the end that such persons may receive condign punishment.

And this House doth further declare, that all such persons as have given any counsel, or endeavored to set or maintain division or dislike between the King and Parliament, or have listed their names or otherwise entered into any combination or agreement to the aiding or assisting to any such counsel or endeavor, or have persuaded any other to do so, or that shall do any the things above mentioned; and that shall not forthwith discover the same to either House of Parliament, or the Speaker of either of the said Houses respectively, and disclaim it, are declared public enemies of the State and peace of this kingdom, and shall be enquired of and proceeded against accordingly.

6. THE NINETEEN PROPOSITIONS

Sent by the two Houses of Parliament to the King at York
(1 June 1642)

Your majesty's most humble and faithful subjects, the Lords and Commons in Parliament, having nothing in their thoughts and desires more precious and of higher esteem (next to the honor and immediate service of God) than the just and faithful performance of their duty to your Majesty and this kingdom: and being very sensible of the great distractions and distempers, and of the imminent dangers and calamities which those distractions and distempers are like to bring upon your Majesty and

your subjects; all which have proceeded from the subtile insinuations, mischievous practices and evil counsels of men disaffected to God's true religion, your Majesty's honor and safety, and the public peace and prosperity of your people, after a serious observation of the causes of those mischiefs, do in all humility and sincerity present to your Majesty their most dutiful petition and advice, that out of your princely wisdom for the establishing your own honor and safety, and gracious tenderness of the welfare and security of your subjects and dominions, you will be pleased to grant and accept these their humble desires and propositions, as the most necessary effectual means, through God's blessing, of removing those jealousies and differences which have unhappily fallen betwixt you and your people, and procuring both your Majesty and them a constant court of honor, peace and happiness.

THE NINETEEN PROPOSITIONS

1. That the Lords and others of your Majesty's Privy Council, and such great officers and Ministers of State, either at home or beyond the seas, may be put from your Privy Council, and from those offices and employments, excepting such as shall be approved of by both Houses of Parliament; and that the persons put into the places and employments of those that are removed may be approved of by both Houses of Parliament; and that the Privy Councillors shall take an oath for the due execution of their places, in such form as shall be agreed upon by both Houses of Parliament.

2. That the great affairs of the kingdom may not be concluded or transacted by the advice of private men, or by any unknown or unsworn councillors, but that such matters as concern the public, and are proper for the High Court of Parliament, which is your Majesty's great and supreme council, may be debated, resolved and transacted only in Parliament, and not elsewhere: and such as shall presume to do anything to the contrary shall be reserved to the censure and judgment of Parliament: and such other matters of state as are proper for your Majesty's Privy Council shall be debated and concluded by such of the nobility and others as shall from time to time be chosen for that place, by approbation of both Houses of Parliament:

and that no public act concerning the affairs of the kingdom which are proper for your Privy Council may be esteemed of any validity, as proceeding from the royal authority, unless it be done by the advice and consent of the major part of your Council, attested under their hands: and that your Council may be limited to a certain number, not exceeding five and twenty, nor under fifteen: and if any councillor's place happen to be void in the interval of Parliament, it shall not be supplied without the assent of the major part of the Council, which choice shall be confirmed at the next sitting of Parliament, or else to be void.

3. That the Lord High Steward of England, Lord High Constable, Lord Chancellor, or Lord Keeper of the Great Seal, Lord Treasurer, Lord Privy Seal, Earl Marshall, Lord Admiral, Warden of the Cinque Ports, Chief Governor of Ireland, Chancellor of the Exchequer, Master of the Wards, Secretaries of State, two Chief Justices and Chief Baron, may always be chosen with the approbation of both Houses of Parliament; and in the intervals of Parliament, by assent of the major part of the Council, in such manner as is before expressed in the choice of councillors.

4. That he, or they unto whom the government and education of the King's children shall be committed, shall be approved of by both Houses of Parliament: and in the intervals of Parliament, by the assent of the major part of the Council, in such manner as is before expressed in the choice of councillors; and that all such servants as are now about them, against whom both Houses shall have any just exceptions, shall be removed.

5. That no marriage shall be concluded or treated for any of the King's children, with any foreign prince, or other person whatsoever, abroad or at home, without the consent of Parliament, under the penalty of a premunire upon such as shall conclude or treat of any marriage as aforesaid; and that the said penalty shall not be pardoned or dispensed with but by the consent of both Houses of Parliament.

6. That the laws in force against Jesuits, priests and Popish recusants be strictly put in execution, without any toleration or dispensation to the contrary; and that some more effectual course may be enacted by authority of Parliament to disable

them from making any disturbance in the State, or eluding the law by trusts or otherwise.

7. That the votes of Popish lords in the House of Peers may be taken away, so long as they continue Papists: and that your Majesty will consent to such a Bill as shall be drawn for the education of the children of Papists by Protestants in the Protestant religion.

8. That your Majesty will be pleased to consent that such a reformation be made of the Church government and liturgy, as both Houses of Parliament shall advise; wherein they intend to have consultations with divines, as is expressed in their declaration to that purpose; and that your Majesty will contribute your best assistance to them, for the raising of a sufficient maintenance for preaching ministers throughout the kingdom; and that your Majesty will be pleased to give your consent to laws for the taking away of innovations and superstition, and of pluralities, and against scandalous ministers.

9. That your Majesty will be pleased to rest satisfied with that course that the Lords and Commons have appointed for ordering of the militia, until the same shall be further settled by a Bill; and that your Majesty will recall your Declarations and Proclamations against the Ordinance made by the Lords and Commons concerning it.

10. That such members of either House of Parliament as have, during the present Parliament, been put out of any place and office, may either be restored to that place and office, or otherwise have satisfaction for the same, upon the petition of that House whereof he or they are members.

11. That all Privy Councillors and Judges may take an oath, the form whereof to be agreed on and settled by Act of Parliament, for the maintaining of the Petition of Right and of certain statutes made by the Parliament, which shall be mentioned by both Houses of Parliament; and that an enquiry of all the breaches and violations of those laws may be given in charge by the Justices of the King's Bench every Term, and by the Judges of Assize in their circuits, and Justices of the Peace at the sessions, to be presented and punished according to law.

12. That all the Judges, and all other officers placed by approbation of both Houses of Parliament, may hold their places

quam diu bene se gesserint [for the duration of good behavior].

13. That the justice of Parliament may pass upon all delinquents, whether they be within the kingdom or fled out of it; and that all persons cited by either House of Parliament may appear and abide the censure of Parliament.

14. That the general pardon offered by your Majesty may be granted, with such exceptions as shall be advised by both Houses of Parliament.

15. That the forts and castles of this kingdom may be put under the command and custody of such persons as your Majesty shall appoint, with the approbation of your Parliament: and in the intervals of Parliament, with the approbation of the major part of the Council, in such manner as is before expressed in the choice of councillors.

16. That the extraordinary guards and military forces now attending your Majesty, may be removed and discharged; and that for the future you will raise no such guards or extraordinary forces, but according to the law, in case of actual rebellion or invasion.

17. That your Majesty will be pleased to enter into a more strict alliance with the States of the United Provinces [of the Netherlands], and other neighboring princes and states of the Protestant religion, for the defense and maintenance thereof against all designs and attempts of the Pope and his adherents to subvert and suppress it; whereby your Majesty will obtain a great access of strength and reputation, and your subjects be much encouraged and enabled, in a Parliamentary way, for your aid and assistance in restoring your royal sister and her princely issue to those dignities and dominions which belong unto them, and relieving the other Protestant princes who have suffered in the same cause.

18. That your Majesty will be pleased, by Act of Parliament, to clear the Lord Kimbolton and the five members of the House of Commons, in such manner that future Parliaments may be secured from the consequence of that evil precedent.

19. That your Majesty will be graciously pleased to pass a Bill for restraining peers made hereafter from sitting or voting in Parliament unless they be admitted thereunto with the consent of both Houses of Parliament.

And these our humble desires being granted by your Majesty,

we shall forthwith apply ourselves to regulate your present revenue in such sort as may be for your best advantage; and likewise to settle such an ordinary and constant increase of it, as shall be sufficient to support your royal dignity in honor and plenty beyond the proportion of any former grants of the subjects of this kingdom to your Majesty's royal predecessors. We shall likewise put the town of Hull into such hands as your Majesty shall appoint, with the consent and approbation of Parliament, and deliver up a just account of all the magazine, and cheerfully employ the uttermost of our power and endeavors in the real expression and performance of our most dutiful and loyal affections, to the preserving and maintaining the royal honor, greatness and safety of your Majesty and your posterity.

7. THE KING'S LETTER SENT WITH THE COMMISSIONS OF ARRAY TO LEICESTERSHIRE

(12 June 1642)

Charles R.

Right trusty, and well-beloved cousins, and right trusty and well-beloved, we greet you well. Whereas it hath been declared by the votes of both Houses of Parliament the 15th day of March last, that the kingdom hath of late, and still is in so evident and imminent danger, both from enemies abroad and a Popish discontented party at home, that there is an urgent and inevitable necessity of putting our subjects into a posture of defense for the safeguard both of our person and people; and that since divers inhabitants of divers counties have addressed their petitions to that purpose; and whereas a small number of both Houses (after it had been rejected by the Lords in a full House, and without our royal assent, or the opinion of the judges concerning the legality of it) have attempted by way of Ordinance, to put in execution the militia of the kingdom, and to dispossess many of our ancient nobility of the command and trust reposed in them by us, and have nominated divers others who have no interest, nor live near to some of the counties to which they are nominated for the Lieutenancy, whereby they cannot be properly serviceable to the counties wherewith they

are entrusted, nor our people receive that content and security which we desire they should. To submit to the execution of which power by the way of Ordinance, without it were reduced into a law by Act of Parliament established by our royal assent, were to reduce and expose our subjects to a mere arbitrary government, which by God's grace we shall never permit.

We, therefore, considering that by the laws of the realm it belongeth to us to order and govern the militia of the kingdom, have thereupon by our Proclamation of the 27th of May last, prohibited all manner of persons whatsoever upon their allegiance to muster, levy or summon upon any warrant, order or ordinance from one or both Houses of Parliament, whereunto we have not, or shall not give our express consent to any of the trained bands, or other officers, without express warrant under our hand, or warrant from our Sheriff of the county, grounded upon a particular writ to that purpose under our Great Seal; and considering that in ancient time the militia of the kingdom was ever disposed of by the Commissions of Array, and that by a particular statute upon record in the Tower, made in the fifth year of Henry the Fourth [1371], by full consent of the Prelates, Earls, Barons and Commons, and at their suit, and by the advice and opinion of the judges then had, such Commissions were mitigated in respect of some clauses perilous to the Commissioners, and approved of for the time to come. And by the subsequent records it appeareth that all our royal predecessors have continually exercised that power by such Commissions, till of late time they have been discontinued by the grants of particular Commissions of Lieutenancy, little differing in substance from the said Commissions of Array, against which the Houses it seems have taken some exception; and though we are no way satisfied of the illegality of them, our counsel being never heard in the defense thereof, yet being willing to avoid all exceptions at present, we have thought fit to refer it to that ancient legal way of disposing the power of the militia by Commissions of Array for defense of us, our kingdom and our country; authorizing you, or any three or more of you, to array and train our people, and to apportion and assess such persons as have estates and are not able to bear arms, to find arms for other men in a reasonable and moderate proportion; and to conduct them so arrayed, as well to the coasts as to other places, for the opposi-

tion and destruction of our enemies in case of danger, as to your discretions, or any three or more of you, shall seem meet, whereof you Henry Earl of Huntingdon, and in your absence William Earl of Devonshire, or Henry Hastings, Esq., to be one; and being both confident in a great measure of the loyal affections of our people, and very tender to bring any unnecessary burden or charge on them by augmenting the number of the trained bands, we do for the present only require that you do forthwith cause to be mustered and trained all the ancient trained bands and freehold bands of the county, carefully seeing that they be supplied with able and sufficient persons, and completely armed; unless you find that there be just cause, and that it shall be with the good liking of the inhabitants for their own better security, to make any increase of their number; and over such bands to appoint and set such colonels, captains and officers as you shall think most fit for the discharge of that service, being such persons as have considerable interest in the county, and not strangers; and in case of any opposition, you are to raise the power of the county to suppress it, and to commit all such persons as are found rebellious herein into the custody of our Sheriff, whose care and assistance we especially require: and that he shall from time to time issue forth such warrants for the assembling of our people at such times and places as by you shall be agreed on, according to the trust reposed in him by our said Commission: and we have authorized you our Commissioners, or any three of you, after such array made, from time to time to train and take musters of our said bands, and to provide beacons and other necessities, for the better exercising of our people, and discovery of sudden invasions and commotions. Of all which your proceedings herein we expect a plenary and speedy account, according to the trust reposed in you, and authority given you by our Commission on that behalf.

Given at our Court at York, the 12th day of June, in the 18th year of our reign, 1642.

8. PARLIAMENT VOTES TO RAISE AN ARMY

(12 July 1642)

Resolved upon the question, that an army shall be forthwith raised for the safety of the King's person, defense of both Houses

of Parliament, and of those who have obeyed their orders and commands, and preserving of the true religion, the laws, liberty and peace of the kingdom.

Resolved upon the question, that the Earl of Essex shall be general.

Resolved upon the question, that this House doth declare, that in this cause, for the safety of the King's person, defense of both Houses of Parliament, and of those who have obeyed their orders and commands, and preserving of the true religion, the laws, liberty and peace of the kingdom, they will live and die with the Earl of Essex, whom they have nominated general in this cause.

Resolved upon the question, that a petition shall be framed, to move his Majesty to a good accord with his Parliament to prevent a civil war.

9. THE SOLEMN LEAGUE AND COVENANT

(Taken by the House of Commons, 25 September 1643)

A solemn league and covenant for Reformation and Defense of Religion, the honor and happiness of the King, and the peace and safety of the three kingdoms of England, Scotland and Ireland.

We noblemen, barons, knights, gentlemen, citizens, burgesses, ministers of the Gospel, and commons of all sorts in the kingdoms of England, Scotland and Ireland, by the providence of God living under one King, and being of one reformed religion; having before our eyes the glory of God and the advancement of the kingdom of our Lord and Savior Jesus Christ, the honor and happiness of the King's Majesty and his posterity, and the true public liberty, safety and peace of the kingdoms, wherein every one's private condition is included; and calling to mind the treacherous and bloody plots, conspiracies, attempts and practices of the enemies of God against the true religion and professors thereof in all places, especially in these three kingdoms, ever since the reformation of religion; and how much their rage, power and presumption are of late, and at this time increased and exercised, whereof the deplorable estate of the Church and kingdom of Ireland, the distressed estate of the

Church and kingdom of England, and the dangerous estate of the Church and kingdom of Scotland are present and public testimonies: we have (now at last) after other means of supplication, remonstrance, protestations and sufferings, for the preservation of ourselves and our religion from utter ruin and destruction, according to the commendable practice of these kingdoms in former times, and the example of God's people in other nations, after mature deliberation, resolved and determined to enter into a mutual and solemn league and covenant, wherein we all subscribe, and each one of us for himself, with our hands lifted up to the most high God, do swear:

I

That we shall sincerely, really and constantly, through the grace of God, endeavor in our several places and callings, the preservation of the reformed religion in the Church of Scotland, in doctrine, worship, discipline and government, against our common enemies; the reformation of religion in the kingdoms of England and Ireland, in doctrine, worship, discipline and government, according to the Word of God and the example of the best reformed Churches; and we shall endeavor to bring the Churches of God in the three kingdoms to the nearest conjunction and uniformity in religion, confession of faith, form of Church government, directory for worship and catechising, that we and our posterity after us may, as brethren, live in faith and love, and the Lord may delight to dwell in the midst of us.

II

That we shall in like manner, without respect of persons, endeavor the extirpation of Popery, prelacy (that is, Church government by Archbishops, Bishops, their Chancellors and Commissaries, Deans, Deans and Chapters, Archdeacons, and all other ecclesiastical officers depending on that hierarchy), superstition, heresy, schism, profaneness, and whatsoever shall be found to be contrary to sound doctrine and the power of godliness, lest we partake in other men's sins, and thereby be in danger to receive of their plagues; and that the Lord may be one, and His name one in the three kingdoms.

III

We shall with the same sincerity, reality and constancy, in our

several vocations, endeavor with our estates and lives mutually to preserve the rights and privileges of the Parliaments, and the liberties of the kingdoms, and to preserve and defend the King's Majesty's person and authority, in the preservation and defense of the true religion and liberties of the kingdoms, that the world may bear witness with our consciences of our loyalty, and that we have no thoughts or intentions to diminish His Majesty's just power and greatness.

IV

We shall also with all faithfulness endeavor the discovery of all such as have been or shall be incendiaries, malignants or evil instruments, by hindering the reformation of religion, dividing the King from his people, or one of the kingdoms from another, or making any faction or parties amongst the people, contrary to the league and covenant, that they may be brought to public trial and receive condign punishment, as the degree of their offenses shall require or deserve, or the supreme judicatories of both kingdoms respectively, or others having power from them for that effect, shall judge convenient.

V

And whereas the happiness of a blessed peace between these kingdoms, denied in former times to our progenitors, is by the good providence of God granted to us, and hath been lately concluded and settled by both Parliaments: we shall each one of us, according to our places and interest, endeavor that they may remain conjoined in a firm peace and union to all posterity, and that justice may be done upon the wilful opposers thereof, in manner expressed in the precedent articles.

VI

We shall also, according to our places and callings, in this common cause of religion, liberty and peace of the kingdoms, assist and defend all those that enter into this league and covenant, in the maintaining and pursuing thereof; and shall not suffer ourselves, directly or indirectly, by whatsoever combination, persuasion or terror, to be divided and withdrawn from this blessed union and conjunction, whether to make defection to the contrary part, or give ourselves to a detestable indifferency or neutrality in this cause, which so much concern-

eth the glory of God, the good of the kingdoms, and the honor of the King; but shall all the days of our lives zealously and constantly continue therein, against all opposition, and promote the same according to our power, against all lets and impediments whatsoever; and what we are not able ourselves to suppress or overcome we shall reveal and make known, that it may be timely prevented or removed: all which we shall do as in the sight of God.

And because these kingdoms are guilty of many sins and provocations against God, and His Son Jesus Christ, as is too manifest by our present distresses and dangers, the fruits thereof: we profess and declare, before God and the world, our unfeigned desire to be humbled for our own sins, and for the sins of these kingdoms; especially that we have not as we ought valued the inestimable benefit of the Gospel; that we have not labored for the purity and power thereof; and that we have not endeavored to receive Christ in our hearts, nor to walk worthy of Him in our lives, which are the causes of other sins and transgressions so much abounding amongst us; and our true and unfeigned purpose, desire and endeavor, for ourselves and all others under our power and charge, both in public and in private, in all duties we owe to God and man, to amend our lives, and each one to go before another in the example of a real reformation, that the Lord may turn away His wrath and heavy indignation, and establish these Churches and kingdoms in truth and peace. And this covenant we make in the presence of Almighty God, the Searcher of all hearts, with a true intention to perform the same, as we shall answer at that Great Day when the secrets of all hearts shall be disclosed: most humbly beseeching the Lord to strengthen us by His Holy Spirit for this end, and to bless our desires and proceedings with such success as may be a deliverance and safety to His people, and encouragement to the Christian Churches groaning under or in danger of the yoke of Anti-Christian tyranny, to join in the same or like association and covenant, to the glory of God, the enlargement of the kingdom of Jesus Christ, and the peace and tranquillity of Christian kingdoms and commonwealths.

II

The New Model Army

AN ideological army; an army passionately concerned from top to bottom, from Lord General to private soldier, with the cause for which it fought; an army successfully asserting its right to a voice in the shaping of the new order that should emerge from its military victories—this was the New Model Army, the most novel and revolutionary phenomenon of the English Civil Wars. [1]

Credit for the recruiting and training of this new kind of army belongs largely to Oliver Cromwell. By the Spring of 1645 the parliamentary army had been “new-modelled,” and the results were soon apparent. In his account of the battle of Naseby [3] the royalist Clarendon acknowledges the steadfastness and devotion of the king’s enemies, qualities which we now recognize as the fruit of high morale—of a commitment to the principles for which an army fights, and of an assurance of the justice of its cause. Both of these were present to a high degree in the parliamentary army, bolstered as the war went on by the puritan conviction that victory was a sign of God’s favor.

When what was needed was courage, military prowess, discipline, such an army was an invaluable instrument. But when victory had been achieved and the time had come to arrange a settlement, parliament and even the officers of the New Model might have wished for more a-political professionalism and docility among the rank and file. For now the true radicalism of this ideological army was revealed. Taking as their excuse the back pay that was owed to them, the soldiers refused to disband while negotiations for a permanent settlement were being conducted by the king, parliament and their officers. Fearing, quite rightly, that the relatively conservative, presby-

terian-dominated parliament wished to arrive at terms that would combine limited monarchy with the establishment of presbyterian church government in England, the soldiers of the New Model sought means of achieving the republican, congregationalist regime for which they had fought. Quite spontaneously, "agitators" were chosen in the various regiments, men of radical views—Levellers, Diggers, Fifth-Monarchy Men—who set about to create an effective means of expressing and implementing their opinions. Although some of the means they used, and notably their extensive correspondence in code [4], may look slightly ludicrous three hundred years later, their purpose was deadly serious.

In the autumn of 1647 the General Council of the army met at Putney, outside London. Present were the officers of the army as well as the chosen representatives of the regiments, many of them Agitators. The subject for discussion was the future constitution of England, the point of departure the two constitutional proposals that had been put forward during the summer: the Heads of Proposals [5], representing the views of the officers, and the Agreement of the People[6], written by the Levellers in the army. By an extraordinarily happy circumstance, one William Clarke, assistant to John Rushworth, the secretary of the Council of War, took down in shorthand the proceedings of the Council; although his notes were somewhat sketchy, they provide an unparalleled opportunity to observe the army in its deliberations. Through no other document can we come so close to the reality of political discourse in seventeenth century England. [7]

1. THE NEW MODEL ARMY

The English Army . . . being new modelled, was really in the hand of Oliver Cromwell, though seemingly under the command of Sir Thomas Fairfax. . . .

We that lived quietly in Coventry did keep to our old principles, and thought all others had done so too except a very few inconsiderable persons. . . . And when the Court News-book told the world of the swarms of Anabaptists in our armies, we thought it had been a mere lie, because it was not so with us nor in any of the garrison or county forces about us. But when

I came to the Army, among Cromwell's soldiers, I found a new face of things, which I never dreamed of. I heard the plotting heads very hot upon that which intimated their intention to subvert both church and state. Independency and Anabaptistry were most prevalent; Antinomianism and Arminianism were equally distributed; and Thomas More's followers (a weaver of Wisbitch and Lyn, of excellent parts) had made some shifts to join these two extremes together. Abundance of the common troopers, and many of the officers, I found to be honest, sober, orthodox men, and others tractable, ready to hear the truth, and of upright intentions. But a few proud, self-conceited, hot-headed sectaries had got into the highest places, and were Cromwell's chief favorites, and by their very heat and activity bore down the rest, or carried them along with them, and were the soul of the Army though much fewer in number than the rest (being indeed not one to twenty throughout the army; their strength being in the General's and Whalley's and Rich's regiments of horse, and in the new-placed officers in many of the rest).

I perceived that they took the King for a tyrant and an enemy and really intended absolutely to master him or ruin him; and that they thought, if they might fight against him, they might kill or conquer him; and if they might conquer, they were never more to trust him further than he was in their power. . . . They said, what were the Lords of England but William the Conqueror's colonels, or the Barons but his majors, or the knights but his captains? They plainly showed me that they thought God's providence would cast the trust of religion and the kingdom upon them as conquerors. They made nothing of all the most wise and godly in the armies and garrisons that were not of their way. *Per fas aut nefas*, by law or without it, they were resolved to take down not only bishops and liturgy and ceremonies, but all that did withstand their way. They were far from thinking of a moderate Episcopacy, or of any healing way between the Episcopal and the Presbyterians'. They most honored the Separatists, Anabaptists and Antinomians. But Cromwell and his Council took on them to join themselves to no party, but to be for the liberty of all. . . .

I found that many honest men of weak judgments and little acquaintance with such matters had been seduced into a dis-

puting vein, and made it too much of their religion to talk for this opinion and for that. Sometimes for state-democracy, and sometimes for church-democracy; sometimes against forms of prayer, and sometimes against infant baptism (which yet some of them did maintain); sometimes against set times of prayer, and against the tying of ourselves to any duty before the Spirit move us; and sometimes about free grace and free will, and all the points of Antinomianism and Arminianism. . . . But their most frequent and vehement disputes were for liberty of conscience, as they called it; that is, that the civil magistrate had nothing to do to determine of anything in matters of religion by constraint or restraint, but every man might not only hold, but preach and do, in matters of religion what he pleased; that the civil magistrate hath nothing to do but with civil things, to keep the peace, and protect the churches' liberties, &c.

I found that one half almost of the religious party among them were such as were either orthodox or but very lightly touched with their mistakes; and almost another half were honest men that stepped further into the contending way than they could well get out of again, but with competent help might be recovered. But a few fiery, self-conceited men among them kindled the rest and made all the noise and bustle, and carried about the Army as they pleased. For the greatest part of the common soldiers, especially of the foot, were ignorant men of little religion, abundance of them such as had been taken prisoners, or turned out of garrisons under the King, and had been soldiers in his army. And these would do anything to please their officers, and were ready instruments for the seducers, especially in their great work which was to cry down the Covenant, to vilify all parish ministers, but especially the Scots and Presbyterians. For the most of the soldiers that I spoke with never took the Covenant because it tied them to defend the King's person, and to extirpate heresy and schism.

Because I perceived that it was a few men that bore the bell, that did all the hurt among them, I . . . would be oft disputing with them in the hearing of the rest; and I found that they were men that had been in London, hatched up among the old Separatists, and had made it all the matter of their study and religion to rail against ministers and parish churches, and

Presbyterians, and had little other knowledge, nor little discourse of anything about the heart of heaven, but were fierce with pride and self-conceitedness, and had gotten a very great conquest over their charity, both to the Episcopal and Presbyterians. Whereas many of those honest soldiers which were tainted but with some doubts about liberty of conscience or Independency, were men that would discourse of the points of sanctification and Christian experience very savourily.

But we so far prevailed in opening the folly of these revilers and self-conceited men, as that some of them became the laughing-stock of the soldiers before I left them; and when they preached (for great preachers they were) their weakness exposed them to contempt. A great part of the mischief they did among the soldiers was by pamphlets which they abundantly dispersed; such as R. Overton's *Martin Mar-Priest*, and more of his, and some of J. Lilburne's, who was one of them; and divers against the King, and against the ministry, and for liberty of conscience, &c. And soldiers being usually dispersed in their quarters, they had such books to read when they had none to contradict them.

Richard Baxter, *Reliquiae Baxterianae* (1696)

2. THE VARIETIES OF PURITANISM

Presbytery so called: what it is, and what they hold

The Presbytery is set up by an alleged pattern of the eldership and presbytery of the Apostles and Elders in the first churches of the Gospel, strengthened by such scriptures as are in the margin, and by allusion to the Jewish government and to appeals in nature. Their churches are parochial, or parishes, as they are divided at first by the Roman prelates and the statute-laws of the state. Which parishes and congregations are made up of such believers as were made Christians first by baptism in infancy, and not by the Word; and all the parishes or congregations are under them as they are a classical, provincial and national Presbytery. And over those parishes they do exercise all church power and government which may be called the Power of the Keys. . . .

Independency so called: what it is, and what they hold

The people of God are only a church when called by the

Word and Spirit into consent or covenant and [when] Saints by profession, and all church-power is laid here and given out from hence into pastorship and elders, &c; and a just distribution of interest betwixt elders and people. All spiritual government is here and not in any power foreign or extrinsical to the congregation, or authoritative. Their children are made Christians first by infant baptism and after by the Word; and they are baptized by a federal or covenant-holiness, or birth-privileges as under the Law. They may enjoy all ordinances in this estate, and some may prophesy. . . .

Anabaptism so called: what it is, and what they hold

The Church of Christ are a company of baptized believers, and whatsoever disciple can teach the Word or make out Christ, may baptize or administer other ordinances. That the church or body, though but of two or three, yet may enjoy the Word and ordinances by way of an administrator, or one deputed to administer, though no pastor. That none are to be baptized but believers. That those commonly called church-officers as pastors, &c, are such as the church or body may be without. That none are to be called brethren but baptized believers. All administration of ordinances were given to the Apostles as disciples; not so under the notion of church-power as is pretended. That none ought to communicate in the ordinances of Christ till first baptized. . . .

Seeking or Seekers so called: what their way is, and what they hold

That there is no church nor ordinances yet. That if they did not end with the primitive or Apostles' times, yet they are to begin as in the primitive times with gifts and miracles, and that there is as much reason for the like gifts to make out the truth of any of the Gospel now to an Antichristian estate, as formerly to a Jewish or heathenish. That such a believer as can dispense ordinances must be qualified as the believers in Mark 16, and as the former disciples were. That there is a time and fulness for the Spirit and for the later pure spiritual dispensations, as there was formerly for the first dispensations. And [they ask] whether this shall be while the Angels are but pouring out their vials or not, or when Babylon is fallen; and whether there is not as much need for new tongues to reveal the

pure original to us, it being conveyed with corruptions and additional in translations, by which truth may be more purely discovered and the waters of life that now run muddily may flow more clear and crystal-like from the throne of God. . . .

John Saltmarsh, *Smoke in the Temple. Wherein is a Design for Peace and Reconciliation of Believers of the Several Opinions of These Times.* (1646)

3. THE BATTLE OF NASEBY

Upon the thirteenth of June the king received intelligence that Fairfax was advanced to Northampton with a strong army, much superior to the numbers he had formerly been advertised of. Whereupon his Majesty retired the next day to Harborough, and meant to have gone back to Leicester that he might draw more foot out of Newark and stand upon his defense till the other forces which he expected could come up to him. But that very night an alarm was brought to Harborough that Fairfax himself was quartered within six miles. A council was presently called, the former resolution of retiring presently laid aside, and a new one as quickly taken: to fight, to which there was always an immoderate appetite when the enemy was within any distance. They would not stay to expect his coming, but would go back to meet him. And so in the morning early, being Saturday the fourteenth of June, all the army was drawn up upon a rising ground of very great advantage, about a mile south from Harborough (which was left at their back) and there put in order to give or receive the charge. The main body of the foot was led by the Lord Astley (whom the king had lately made a baron), consisting of about two thousand and five hundred foot; the right wing of horse, being about two thousand, was led by Prince Rupert; the left wing, consisting of all the northern horse, with those from Newark (which did not amount to above fifteen hundred), was commanded by Sir Marmaduke Langdale; in the reserve were the King's Life-Guard, commanded by the Earl of Lindsey, and Prince Rupert's Regiment of Foot (both which did make very little above eight hundred), with the King's Horse-Guards, commanded by the Lord Bernard Stuart (newly made Earl of Lichfield) which made that day about five hundred horse.

The Army, thus disposed in good order, made a stand on

that ground to expect the enemy. About eight of the clock in the morning it began to be doubted whether the intelligence they had received of the enemy was true. Upon which the scout-master was sent to make farther discovery; who, it seems, went not far enough, but returned and averred that he had been three or four miles forward and could neither discover nor hear anything of them. Presently, a report was raised in the army that the enemy was retired. Prince Rupert thereupon drew out a party of horse and musketeers, both to discover and engage them, the army remaining still in the same place and posture they had been in. His Highness had not marched above a mile when he received certain intelligence of their advance, and in a short time after he saw the van of their army—but, it seems, not so distinctly but that he conceived they were retiring. Whereupon he advanced nearer with his horse and sent back [word] that the army should march up to him. And the messenger who brought the order said that the Prince desired that they should make haste. Hereupon the advantage ground was quitted, and the excellent order they were in, and an advance made towards the enemy as well as might be. By the time they had marched about a mile and a half the horse of the enemy was discerned to stand upon a high ground about Naseby, whence (seeing the manner of the King's march, in a full campaign) they had the leisure and opportunity to place themselves with all the advantages they could desire. The Prince's natural heat and impatience could never endure an enemy long in his view, nor let him believe that they had the courage to endure his charge. Thus the army was engaged before the cannon was turned, or the ground made choice of upon which they were to fight, so that courage was alone to be relied upon where all conduct failed so much.

It was about ten of the clock when the battle began. The first charge was given by Prince Rupert, who, with his own and his brother Prince Maurice's troop, performed it with his usual vigor, and was so well seconded that he bore down all before him and was master of six pieces of the rebels' best cannon. The Lord Astley with his foot, though against the hill, advanced upon their foot, who discharged their cannon at them, but over-shot them, and so did their musketeers too. For the foot on either side hardly saw each other till they were

within carbine shot, and so only gave one volley. The King's foot, according to their usual custom, falling in with their swords and the butt-ends of their muskets; with which they did very notable execution and put the enemy into great disorder and confusion. The right wing of horse and foot being thus fortunately engaged and advanced, the left wing under Sir Marmaduke Langdale, in five bodies, advanced with equal resolution; and was encountered by Cromwell, who commanded the right wing of the enemy's horse, with seven bodies greater and more numerous than either of the other; and had, besides the odds in number, the advantage of the ground, for the King's horse were obliged to march up the hill before they could charge them. Yet they did their duty as well as the place and great inequality of numbers would enable them to do. But being flanked on both sides by the enemy's horse and pressed hard, before they could get to the top of the hill they gave back and fled farther and faster than became them. Four of the enemy's bodies, close and in good order, followed them that they might not rally again, which they never thought of doing; and the rest charged the King's foot, who had till then so much the advantage over theirs. Whilst Prince Rupert, with the right wing, pursued those horse which he had broken and defeated.

The King's reserve of horse, which was his own Guards, with himself in the head of them, were even ready to charge those horse who pursued his left wing, when, on a sudden, such a panic fear seized upon them that they all ran near a quarter of a mile without stopping. Which happened upon an extraordinary accident, that hath seldom fallen out, and might well disturb and disorder very resolute troops, as those were, and the best horse in the army. The King, as was said before, was even upon the point of charging the enemy in the head of his guards when the Earl of Carnewarth, who rode next to him (a man never suspected for infidelity, nor yet one from whom the King would have received counsel in such a case), on a sudden laid his hand on the bridle of the King's horse and swearing two or three full-mouthed Scottish oaths (for of that nation he was) said, "Will you go upon your death in an instant"? And before his Majesty understood what he would have, turned his horse round. Upon which a word ran through the

troops that they would march to the right hand, which led them both from charging the enemy and assisting their own men. Upon this they all turned their horses and rode upon the spur, as if they were every man to shift for himself.

It is very true that upon the more soldierly word, "Stand," which was sent after them, many of them returned to the King, though the former unlucky work carried more from him. By this time Prince Rupert was returned with a good body of those horse which had attended him in his prosperous charge on the right wing. But they, having as they thought acted their parts, could never be brought to rally themselves again in order or to charge the enemy. That difference was observed all along in the discipline of the King's troops and of those which marched under the command of Fairfax and Cromwell (for it was only under them, and had never been remarkable under Essex or Waller) that, though the King's troops prevailed in the charge and routed those they charged, they seldom rallied themselves again in order, nor could be brought to make a second charge again the same day; which was the reason that they had not an entire victory at Edgehill. Whereas the others' troops, if they prevailed, or though they were beaten and routed, presently rallied again and stood in good order until they received new orders. All that the King and Prince could do could not rally their broken troops, which stood in sufficient numbers upon the field, though they often endeavored it with the manifest hazard of their own persons. So that, in the end, the King was compelled to quit the field, and to leave Fairfax master of all his foot, cannon and baggage; amongst which was his own cabinet, where his most secret papers were, and letters between the Queen and him; of which they shortly after made that barbarous use as was agreeable to their natures and published them in print; that is, so much of them as they thought would asperse either of their Majesties and improve the prejudice they had raised against them, and concealed other parts which would have vindicated them from many particulars with which they had aspersed them.

I shall not stay in this place to mention the names of those noble persons who were lost in this battle, when the King and the Kingdom were lost in it. . . .

Clarendon, *History of the Rebellion*

4. SECRET AGENTS IN THE ARMY

Two Letters to the Agitators: May 1647

Gentlemen:

My best respects. I rode hard and came to London by four this afternoon. The House hath ordered and voted the Army to be disbanded, regiment by regiment. The General's Regiment of Foot on Tuesday next to lay down their arms in Chelmsford Church, and they do intend to send you down once more Commissioners, to do it, of Lords and Commons. They will not pay more than two months' pay, and, after we be disbanded, to state our accounts and to be paid by the excise in course. This is their good vote, and their good visible security! Pray, Gentlemen, ride night and day. We will act here night and day for you. You must by all means frame a petition in the name of all the soldiers, to be presented to the General by you the Agitators, to have him, in honor, justice and honesty, to stand by you, and to tell Skippon to depart the Army, and all other officers that are not right. Be sure now [to] be active, and send some thirty or forty horse to fetch away Jackson, Gooday, and all that are naught. And be sure to possess his soldiers: he will sell them and abuse them; for so he hath done, he engaged to sell them for eight weeks' pay. Gentlemen, I have it from 59 and 89 that you must do this, and that you shall expel [them] out of the Army; and if you do disappoint them in the disbanding of this regiment, namely 68, you will break the neck of all their designs. This is the judgment of 59 and 89; therefore, Gentlemen, follow it close. The 52 are about 42, which copies I send you. Let me tell you 41 and 52 in 54 are all very gallant. I pray God keep us so too. Now, my lads, if we work like men we shall do well, and that in the hands of 53. And let all the 44 be very insistent that the 55 may be called to a 43, and that with speed. Delay it not. And by all means be sure to stir up the Counties to petition for their rights, and to make their appeal to 55 to assist them. You shall hear all I can, by the next. So till then I rest,

Yours till death,

102.

From 51. 11 o'clock at night.

* * * * *

May 28th, 11 o'clock at night.

Send this to 92.

Send to me and you shall have powder enough and that in your own quarters, five hundred barrels, and it shall not cost a penny, and on Tuesday I will inform you how and where.

* * * * *

Gentlemen:

There is seven thousand coming down to Chelmsford: on Monday night it will be there. The Earl of Warwick, the Lord Delawarr, of the Commons Mr. Annesley, Sir Gilbert Gerrard, Sir John Potts, Mr. Grimstone, all these are to come as Commissioners for to disband us. Therefore, Gentlemen, you know what to do. Colonel Rainborough is to go to his regiment, and it is by Oxford. And a guard of dragoons comes with the money and the Commissioners, but how many I know not. All the honest party do much rejoice here at your courage, and the other party do much threaten and speak big. Therefore I pray be careful to have horse to apprehend and seize on the money and Commissioners before they come at the foot. And if you can banish Jackson and the rest out of that regiment, you will do the work; and be sure you do what you can. Do not let Jackson be there to go to London, nor none of them of that regiment, and you will do well enough. Let two horsemen go presently to Colonel Rainborough to Oxford, and be very careful you be not overwitted. Now break the neck of this design, and you will do well. And you must do now, to make a bolt or a shot and not to dally: [have] but a good party of horse of a thousand, and to have spies with them before (to bring you intelligence), and to quarter your horse overnight, and to march in the night.

So God bless,

I rest,

Yours,

102.

5. THE HEADS OF PROPOSALS

(1 August 1647)

I

That the things hereafter proposed, being provided for by

this present Parliament, a certain period may by Act of Parliament be set for the ending of this Parliament; such period to be put within a year at most. And in the same Act provision to be made for the succession and constitution of Parliaments in future, as followeth:

1. That Parliaments may biennially be called and meet at a certain day, with such provision for the certainty thereof, as in the late Act was made for triennial Parliaments, and what further or other provision shall be found needful by the Parliament to reduce it to more certainty; and upon the passing of this, the said Act for triennial Parliaments to be repealed.

2. Each biennial Parliament to sit 120 days certain (unless adjourned or dissolved sooner by their own consent); afterwards to be adjournable or dissolvable by the King, and no Parliament to sit past 240 days from their first meeting, or some other limited number of days now to be agreed upon; upon the expiration whereof each Parliament to dissolve of course, if not otherwise dissolved sooner.

3. The King, upon advice of the Council of State, in the intervals betwixt biennial Parliaments, to call a Parliament extraordinary, provided to meet above 70 days before the next biennial day, and be dissolved at least 60 days before the same; so as the course of biennial elections may never be interrupted.

4. That this Parliament and each succeeding biennial Parliament, at or before adjournment or dissolution thereof, may appoint committees to continue during the interval for such purposes as are in any of these Proposals referred to such committees.

5. That the elections of the Commons for succeeding Parliaments may be distributed to all counties, or other parts or divisions of the kingdom, according to some rule of equity or proportion, so as all counties may have a number of Parliament-members allowed to their choice, proportionable to the respective rates they bear in the common charges and burdens of the kingdom, or according to some other rule of equality or proportion, to render the House of Commons (as near as may be) an equal representative of the whole; and in order thereunto, that a present consideration be had to take off the elections of burgesses for poor, decayed or inconsiderable towns, to give some present addition to the number of Parliament-members

for great counties that have now less than their due proportion, to bring all (at present) as near as may be to such a rule as aforesaid.

6. That effectual provision be made for future freedom of elections, and certainty of due returns.

7. That the House of Commons alone have the power from time to time to set down further orders and rules for the ends expressed in the two last preceding articles, so as to reduce the elections of members for that House to more and more perfection of equality in the distribution, freedom in the election, order in the proceeding thereto, and certainty in the returns, which orders and rules (in that case) to be as laws.

8. That there be a liberty for entering dissents in the House of Commons, with provision that no member be censurable for aught said or voted in the House further than to exclusion from that trust; and that only by the judgment of the House itself.

9. That the judicial power, or power of final judgment in the Lords and Commons, and their power of exposition and application of law, without further appeal, may be cleared; and that no officer of justice, minister of state, or other person adjudged by them, may be capable of protection or pardon from the King without their advice and consent.

10. That the right and liberty of the Commons of England may be cleared and vindicated as to a due exemption from any judgment, trial, or other proceeding against them by the House of Peers, without the concurring judgment of the House of Commons; as also from any other judgment, sentence or proceeding against them, other than by their equals, or according to the law of the land.

11. That the same Act to provide that grand jurymen may be chosen by and for several parts or divisions of each county respectively, in some equal way (and not remain, as now, at the discretion of an under-sheriff to be put on or off); and that such grand jurymen for their respective counties may at each assize present the names of persons to be made justices of the peace from time to time as the county hath need for any to be added to the Commission, and at the summer assize

to present the names of three persons, out of whom the King may pick one to be sheriff for the next year.

* * *

XI

An Act to be passed to take away all coercive power, authority, and jurisdiction of bishops and all other ecclesiastical officers whatsoever, extending to any civil penalties upon any; and to repeal all laws whereby the civil magistracy hath been or is bound, upon any ecclesiastical censure to proceed (*ex officio*) unto any civil penalties against any persons so censured.

XII

That there be a repeal of all Acts, or clauses in any Act, enjoining the use of the Book of Common Prayer and imposing any penalties for neglect thereof; as also of all Acts, or clauses in any Act, imposing any penalty for not coming to church, or for meetings elsewhere for prayer or other religious duties, exercises, or ordinances; and some other provision to be made for discovering of Papists and Popish recusants, and for disabling of them, and of all Jesuits or priests, from disturbing the state.

* * *

XIV

That, the things here before proposed being provided, for settling and securing the rights, liberties, peace, and safety of the kingdom, His Majesty's person, his Queen, the royal issue, may be restored to a condition of safety, honor and freedom in this nation, without diminution to their personal rights, or further limitation to the exercise of the regal power than according to the particulars aforegoing.

* * *

XVI

That there may be a general Act of Oblivion to extend unto all (except the persons to be continued in exception as before), to absolve from all trespasses, misdemeanors, &c., done in prosecution of the war; and from all trouble or prejudice for or

concerning the same (after their compositions passed), and to restore them to all privileges, &c., belonging to other subjects. . . .

6. THE AGREEMENT OF THE PEOPLE PRESENTED TO THE COUNCIL OF THE ARMY

(28 October 1647) Printed, 3 November

An Agreement of the People for a firm and present peace upon grounds of common right.

Having by our late labors and hazards made it appear to the world at how high a rate we value our just freedom, and God having so far owned our cause as to deliver the enemies thereof into our hands, we do now hold ourselves bound in mutual duty to each other to take the best care we can for the future to avoid both the danger of returning into a slavish condition and the chargeable remedy of another war; for, as it cannot be imagined that so many of our countrymen would have opposed us in this quarrel if they had understood their own good, so may we safely promise to ourselves that, when our common rights and liberties shall be cleared, their endeavors will be disappointed that seek to make themselves our masters. Since, therefore, our former oppressions and scarce-yet-ended troubles have been occasioned, either by want of frequent national meetings in Council, or by rendering those meetings ineffectual, we are fully agreed and resolved to provide that hereafter our representatives be neither left to an uncertainty for the time nor made useless to the ends for which they are intended. In order whereunto we declare:

I

That the people of England, being at this day very unequally distributed by Counties, Cities and Boroughs for the election of their deputies in Parliament, ought to be more indifferently proportioned, according to the number of the inhabitants; the circumstances whereof for number, place, and manner are to be set down before the end of this present Parliament.

II

That, to prevent the many inconveniences apparently arising

from the long continuance of the same persons in authority, this present Parliament be dissolved upon the last day of September which shall be in the year of our Lord 1648.

III

That the people do, of course, choose themselves a Parliament once in two years, viz. upon the first Thursday in every second March, after the manner as shall be prescribed before the end of this Parliament, to begin to sit upon the first Thursday in April following, at Westminster or such other place as shall be appointed from time to time by the preceding Representatives, and to continue till the last day of September then next ensuing, and no longer.

IV

That the power of this, and all future Representatives of this Nation, is inferior only to theirs who choose them, and doth extend, without the consent or concurrence of any other person or persons, to the enacting, altering, and repealing of laws; to the erecting and abolishing of offices and courts; to the appointing, removing, and calling to account magistrates and officers of all degrees; to the making war and peace; to the treating with foreign states; and, generally, to whatsoever is not expressly or impliedly reserved by the represented to themselves:

Which are as followeth,

1. That matters of religion and the ways of God's worship are not at all entrusted by us to any human power, because therein we cannot remit or exceed a tittle of what our consciences dictate to be the mind of God, without wilful sin; nevertheless the public way of instructing the nation (so it be not compulsive) is referred to their discretion.

2. That the matter of impressing and constraining any of us to serve in the wars is against our freedom; and therefore we do not allow it in our Representatives; the rather, because money (the sinews of war), being always at their disposal, they can never want numbers of men apt enough to engage in any just cause.

3. That after the dissolution of this present Parliament, no person be at any time questioned for anything said or done in

reference to the late public differences, otherwise than in execution of the judgments of the present Representatives, or House of Commons.

4. That in all laws made or to be made every person may be bound alike, and that no tenure, estate, charter, degree, birth, or place do confer any exemption from the ordinary course of legal proceedings whereunto others are subjected.

5. That as the laws ought to be equal, so they must be good, and not evidently destructive to the safety and well-being of the people.

These things we declare to be our native rights, and therefore are agreed and resolved to maintain them with our utmost possibilities against all opposition whatsoever; being compelled thereunto not only by the examples of our ancestors, whose blood was often spent in vain for the recovery of their freedoms, suffering themselves through fraudulent accommodations to be still deluded of the fruit of their victories, but also by our own woeful experience, who, having long expected and dearly earned the establishment of these certain rules of government, are yet made to depend for the settlement of our peace and freedom upon him that intended our bondage and brought a cruel war upon us.

7. THE PUTNEY DEBATES

At the General Council of Officers at Putney, 28th October 1647.

The Officers being met, first said

Lieutenant-General Cromwell: That the meeting was for public businesses; those that had anything to say concerning the public business, they might have liberty to speak.

* * *

Mr. Edward Sexby: We have been by Providence put upon strange things, such as the ancientest here doth scarce remember. The Army acting to these ends, Providence hath been with us, and yet we have found little fruit of our endeavours. The kingdom and Army calls for expedition. The kingdom's cause requires expedition, and truly our miseries (with our fellow soldiers') cry out for present help. I think, at this time, this is your business, and I think it is in all your hearts to relieve the

one and satisfy the other. You resolved if anything should be propounded to you, you would join and go along with us.

The cause of our misery is upon two things. We sought to satisfy all men, and it was well; but in going about to do it we have dissatisfied all men. We have labored to please a king, and I think, except we go about to cut all our throats, we shall not please him; and we have gone to support an house which will prove rotten studs—I mean the Parliament, which consists of a company of rotten members.

And therefore we beseech you that you will take these things into your consideration.

I shall speak to the Lieutenant-General and Commissary-General concerning one thing. Your credits and reputation have been much blasted, upon these two considerations. The one is for seeking to settle this kingdom in such a way wherein we thought to have satisfied all men, and we have dissatisfied them—I mean in relation to the King. The other is in reference to a Parliamentary authority, which most here would lose their lives for—to see those powers to which we will subject ourselves, loyally called. These two things are, as I think conscientiously, the cause of all those blemishes that have been cast upon either the one or the other. You are convinced God will have you to act on. But only consider how you shall act, and take those ways that will secure you and the whole kingdom. I desire you will consider those things that shall be offered to you; and, if you see anything of reason, you will join with us, that the kingdom may be eased and our fellow soldiers may be quieted in spirit. These things I have represented as my thoughts. I desire your pardon.

Cromwell: I think it is good for us to proceed to our business in some order, and that will be if we consider some things that are lately past. There hath been a book printed, called *The Case of the Army Stated*, and that hath been taken into consideration, and there hath been somewhat drawn up by way of exception to things contained in that book. And I suppose there was an answer brought to that which was taken by way of exception, and yesterday the gentleman that brought the answer, he was dealt honestly and plainly withal, and he was told that there were new designs adriving, and nothing would be a clearer

discovery of the sincerity of their intentions than their willingness, that were active, to bring what they had to say to be judged of by the General Officers and by this General Council, that we might discern what the intentions were. Now it seems there be divers that are come hither to manifest those intentions, according to what was offered yesterday; and truly I think that the best way to our proceeding will be to receive what they have to offer. Only this, Mr. Sexby, you were speaking to us two—I know not why, except you think that we have done somewhat, or acted somewhat, different from the sense and resolution of the General Council. Truly, that that you speak to, was the things that related to the King and things that related to the Parliament; and if there be a fault, I may say it (and I dare say), it hath been the fault of the General Council, and that which you do speak you speak to the General Council, I hope, though you name us two, both in relation to the one and to the other. Therefore truly I think it sufficient for us to say, and 'tis that we say—I can speak for myself, let others speak for themselves—I dare maintain it, and I dare avow I have acted nothing but what I have done with the public consent and approbation and allowance of the General Council. That I dare say for myself, both in relation to the one and to the other. What I have acted in Parliament in the name of the Council or of the Army, I have had my warrant for it from hence. What I have spoken in another capacity, as a member of the House, that was free for me to do; and I am confident that I have not used the name of the Army, or interest of the Army, to anything but what I have had allowance from the General Council for, and what they thought it fit to move the House in. I do the rather give you this account, because I hear there are some slanderous reports going up and down upon somewhat that hath been offered to the House of Commons by me as being the sense and opinion of this Army, and in the name of this Army, which (I dare be confident to speak it) hath been as false and slanderous a report as could be raised of a man. And that was this: that I should say to the Parliament, and deliver it as the desire of this Army, and the sense of this Army, that there should be a second address to the King by way of propositions. I dare be confident to speak it. What I delivered there I delivered as my own



CLARENDON



MAJOR GEN^l IRETON,

From an Original Picture in the Collection of

Rth Abdyworth Neville esq^r

IRETON

sense, and what I delivered as my own sense I am not ashamed of. What I delivered as your sense, I never delivered but what I had as your sense.

Colonel Thomas Rainborough: For this the Lieutenant-General was pleased to speak of last, it was moved that day the propositions were brought in. That day it was carried for making a second address to the King, it was when both the Lieutenant-General and myself were last here; and when we broke off here, and when we came upon the bill, it was told us that the House had carried it for a second address. And therefore the Lieutenant-General must needs be clear of it. But it *was* urged in the House that it was the sense of the Army that it should be so.

Ireton: I desire not to speak of these things, but only to put things into an orderly way, which would lead to what the occasion is that hath brought these gentlemen hither that are now called in. Yet I cannot but speak a word to that that was last touched upon.

* * *

And yet for that which, Mr. Sexby tells us, hath been one of the great businesses cast upon the Lieutenant-General and myself, I do detest and defy the thought of that thing, of any endeavour or design or purpose or desire to set up the King; and I think I have demonstrated it, and I hope I shall do still, that it is the interest of the kingdom that I have suffered for. And as for the Parliament, too, I think those that know the beginnings of these principles that we set forth in our declarations of late for clearing and vindicating the liberties of the people, even in relation to Parliament, will have reason to acquit me. And whoever do know how we were led to the declaring of that point, as we have done, as one fundamental, will be able to acquit me that I have been far from a design of setting up the persons of these men, or of any men whatsoever, to be our law-makers. And so likewise for the King: though I am clear, as from the other, from setting up the person of one or other, yet I shall declare it again that I do not seek, or would not seek, nor will join with them that do seek, the destruction either of Parliament or King. Neither will I consent with those, or concur with them, who will not attempt all the ways that

are possible to preserve both, and to make good use, and the best use that can be, of both for the kingdom. And I did not hear anything from that gentleman (Mr. Sexby) that could induce or incline me to abandon that resolution. To that point I stand clear, as I have expressed. But I shall not speak any more concerning myself.

The committee met at my lodgings as soon as they parted from hence. And the first thing they resolved was this. On hearing there was a meeting of the Agitators, though it was thought fit by the General Council here that they should be sent for to the regiments, yet it was thought fit by the committee to let them know what the General Council had done, and to go on in a way that might tend to unity; and this being resolved on, we were desired by one of those gentlemen that were desired to go, that lest they should mistake the matter they went about, it might be drawn in writing, and this is it:

That the General Council, &c.

This is the substance of what was delivered. Mr. Allen, Mr. Lockyer, and Mr. Sexby were sent with it, and I think it is fit that the Council should be acquainted with the answer.

Mr. William Allen: As to the answer, it was short—truly I shall give it as short. We gave them the paper, and read it amongst them, and to my best remembrance they then told us that they were not all come together whom it did concern, and so were not in a capacity at the present to return us an answer, but that they would take it into consideration, and would send it as speedily as might be. I think it was near their sense.

*Buff-Coat:*¹ We have here met on purpose, according to my engagement, that whatsoever may be thought to be necessary for our satisfaction, for the right understanding one of another, might be done, that we might go on together. For, though our ends and aims be the same, if one thinks this way, another another way, that way which is the best for the subject is that they both may be hearkened unto.

*(The answer of the Agitators, the second time read.)*²

¹ A trooper whose name was at this point unknown to Clarke, but was later discovered to be Robert Everard, Agent of Cromwell's Regiment.

² The course of the debate suggests that what was here read was a set of proposals, probably those printed on 3rd and 4th November, as *An Agreement of the People*. See p. 42.

Buff-Coat: For the privileges here demanded, I think it will be strange that we that are soldiers cannot have them for ourselves, if not for the whole kingdom; and therefore we beseech you consider of it.

Cromwell: These things that you have now offered, they are new to us: they are things that we have not at all (at least in this method and thus circumstantially) had any opportunity to consider of, because they came to us but thus, as you see; this is the first time we had a view of them.

Truly this paper does contain in it very great alterations of the very government of the kingdom, alterations from that government that it hath been under, I believe I may almost say, since it was a nation—I say, I think I may almost say so. And what the consequences of such an alteration as this would be, if there were nothing else to be considered, wise men and godly men ought to consider. I say, *if* there were nothing else but the very weight and nature of the things contained in this paper. Therefore, although the pretensions in it, and the expressions in it, are very plausible, and if we could leap out of one condition into another that had so specious things in it as this hath, I suppose there would not be much dispute—though perhaps some of these things may be very well disputed. How do we know if, whilst we are disputing these things, another company of men shall gather together, and put out a paper as plausible perhaps as this? I do not know why it might not be done by that time you have agreed upon this, or got hands to it if that be the way. And not only another, and another, but many of this kind. And if so, what do you think the consequence of that would be? Would it not be confusion? Would it not be utter confusion? Would it not make England like the Switzerland country, one canton of the Swiss against another, and one county against another? I ask you whether it be not fit for every honest man seriously to lay that upon his heart? And if so, what would that produce but an absolute desolation—an absolute desolation to the nation—and we in the meantime tell the nation: ‘It is for your liberty; ’tis for your privilege; ’tis for your good.’ (Pray God it prove so whatsoever course we run.) But truly, I think we are not only to consider what the consequences are if there were nothing else but this paper, but

we are to consider the probability of the ways and means to accomplish the thing proposed: that is to say, whether, according to reason and judgment, the spirits and temper of the people of this nation are prepared to receive and to go on along with it, and whether those great difficulties that lie in our way are in a likelihood to be either overcome or removed. Truly, to anything that's good, there's no doubt on it, objections may be made and framed; but let every honest man consider whether or no there be not very real objections in point of difficulty. I know a man may answer all difficulties with faith, and faith will answer all difficulties really where it is, but we are very apt, all of us, to call that faith, that perhaps may be but carnal imagination, and carnal reasonings. Give me leave to say this. There will be very great mountains in the way of this, if this were the thing in present consideration; and, therefore, we ought to consider the consequences, and God hath given us our reason that we may do this. It is not enough to propose things that are good in the end, but suppose this model were an excellent model, and fit for England and the kingdom to receive, it is our duty as Christians and men to consider consequences, and to consider the way.

But really I shall speak to nothing but that that, as before the Lord I am persuaded in my heart, tends to uniting of us in one, to that that God will manifest to us to be the thing that he would have us prosecute. And he that meets not here with that heart, and dares not say he will stand to that, I think he is a deceiver. I say it to you again, and I profess unto you, I shall offer nothing to you but that I think in my heart and conscience tends to the uniting of us, and to the begetting a right understanding among us; and therefore this is that I would insist upon, and have it cleared among us.

It is not enough for us to insist upon good things. That every one would do. There is not one in forty of us but could prescribe many things exceeding plausible—and hardly anything worse than our present condition, take it with all the troubles that are upon us. It is not enough for us to propose good things, but it behoves honest men and Christians (that really will approve themselves so before God and men) to see whether or no they be in a condition—whether, taking all things into con-

sideration, they may honestly endeavour and attempt that that is fairly and plausibly proposed. For my own part I know nothing that we are to consider first but that, before we would come to debate the evil or good of this, or to add to it or subtract from it. And if we should come to any such thing, I am confident (if your hearts be upright as ours are—and God will be judge between you and us) you do not bring this paper with peremptoriness of mind, but to receive amendments, to have anything taken from it that may be made apparent by clear reason to be inconvenient or dishonest.

But first of all there is the question what obligations lie upon us and how far we are engaged. This ought to be our consideration and yours, saving that in this you have the advantage of us—you that are the soldiers you have not, but you that are not soldiers—you reckon yourselves at a loose and at a liberty, as men that have no obligation upon you. Perhaps we conceive we have; and therefore this is that I may say—both to those that come with you, and to my fellow officers and all others that hear me: that it concerns us as we would approve ourselves before God, and before men that are able to judge of us, if we do not make good our engagements, if we do not make good that that the world expects we should make good. I do not speak to determine what that is; but if I be not much mistaken, we have in the time of our danger issued out declarations; we have been required by the Parliament, because our declarations were general, to declare particularly what we meant. And (having done that) how far that obliges or not obliges, *that* is by us to be considered—if we mean honestly and sincerely and to approve ourselves to God as honest men. And therefore, having heard this paper read, this remains to us: that we again review what we have engaged in, and what we have that lies upon us. He that departs from that that is a real engagement and a real tie upon him, I think he transgresses without faith; for faith will bear up men in every honest obligation, and God does expect from men the performance of every honest obligation. And therefore I have no more to say but this: we having received your paper, we shall amongst ourselves consider what to do; and before we take this into consideration, it is fit for us to consider how far we are obliged, and how far we are free; and I hope we

shall prove ourselves honest men where we are free to tender anything to the good of the public. And this is what I thought good to offer to you upon this paper.

Mr. John Wildman: Being yesterday at a meeting where divers country gentlemen and soldiers and others were, and amongst the rest the Agents of the five regiments, and having weighed their papers, I must freely confess I did declare my agreement with them. Upon that, they were pleased to declare their sense in most particulars of their proceedings, to me, and desired me that I would be their mouth, and in their names represent their sense unto you. And upon that ground I shall speak something in answer to that which your Honor last spake.

I shall not reply anything at present, till it come to be further debated, either concerning the consequences of what is propounded, or of this paper; but I conceive the chief weight of your Honor's speech lay in this, that you were first to consider what obligations lay upon you, and how far you were engaged, before you could consider what was just in this paper now propounded; adding that God would protect men in keeping honest promises. To that I must offer this. That, according to the best knowledge of their apprehensions, they do apprehend that whatever obligation is past must afterwards be considered when it is urged whether the engagement were honest and just or no; and if it were not just it doth not oblige the persons, if it be an oath itself. But if, while there is not so clear a light, any person passes an engagement, it is judged by them (and I so judge it) to be an act of honesty for that man to recede from his former judgment, and to abhor it. And therefore I conceive the first thing is to consider the honesty of what is offered; otherwise it cannot be considered of any obligation that doth prepossess. By the consideration of the justice of what is offered, that obligation shall appear whether it was just or no. If it were not just, I cannot but be confident of the searings of your consciences. And I conceive this to be their sense; and upon this account, upon a more serious review of all declarations past, they see no obligations which are just, that they contradict by proceeding in this way.

Ireton: Sure this gentleman hath not been acquainted with our engagements. For he that will cry out of breach of engage-

ment in slight and trivial things and things necessitated to—I can hardly think that man that is so tender of an engagement as to frame, or concur with, this book in their insisting upon every punctilio of the *Engagement*, can be of that principle that no engagement is binding further than that he thinks is just or no. For he hints that, if he that makes an engagement (be it what it will be) have further light that this engagement was not good or honest, then he is free from it. Truly, if the sense were put thus, that a man finds he hath entered into an engagement and thinks that it was not a just engagement, I confess something might be said that such a man might declare himself for his part ready to suffer some penalty upon his person or upon his party. The question is, whether it be an engagement to another party. Now if a man venture into an engagement from him to another, and find that engagement not just and honest, he must apply himself to the other party and say: ‘I cannot actively perform it; I will make you amends as near as I can.’ Upon the same ground men are not obliged to any authority that is set up, though it were this authority that is proposed here—I am not engaged to be so *actively* to that authority. Yet if I have engaged that they shall bind me by law, though afterwards I find they do require me to a thing that is not just or honest, I am bound so far to my engagement that I must submit and suffer, though I cannot act and do that which their laws do impose upon me. If that caution were put in where a performance of an engagement might be expected from another, and he could not do it because he thought it was not honest to be performed—if such a thing were put into the case, it is possible there might be some reason for it. But to take it as it is delivered in general, whatever engagement we have entered into, though it be a promise of something to another party, wherein that other party is concerned, wherein he hath a benefit if we make it good, wherein he hath a prejudice if we make it not good: this is a principle that will take away all commonwealths, and will take away the fruit of this engagement if it were entered into; and men of this principle would think themselves as little as may be obliged by any law if in their apprehensions it be not a good law. I think they would think themselves as little obliged to think of standing to that authority that is proposed in this paper.

Truly, sir, I have little to say at the present to that matter of the paper that is tendered to us. I confess, there are plausible things in it, and there are things really good in it. There are those things that I do with my heart desire; and there are those things, for the most part of it—I shall be so free as to say—if these gentlemen (and other gentlemen that will join with them) can obtain, I would not oppose, I should rejoice to see obtained. There are those things in it, divers. And if we were, as hath been urged now, free; if we were first free from consideration of all the dangers and miseries that we may bring upon this people, the danger that when we go to cry out for the liberty of it we may not leave a being in it, free from all those engagements that do lie upon us, and that were honest when they were entered into: I should concur with this paper further than, as the case doth stand, I can. But truly I do account we are under engagements; and I suppose that whatsoever this gentleman that spoke last doth seem to deliver to us, holding himself absolved from all engagements if he thinks it, yet those men that came with him (that are in the case of the Army) hold themselves more obliged; and therefore that they will not persuade us to lay aside all our former engagements and declarations, if there be anything in them, and to concur in this, if there be anything in it that is contrary to those engagements which they call upon us to confirm. Therefore I do wish that we may have a consideration of our former engagements, of things which are generally the engagements of the Army. Those we are to take notice of; and sure we are not to recede from them till we are convinced that they are unjust. And when we are convinced of them, that they are unjust, truly yet I must not fully concur with that gentleman's principle, that presently we are, as he says, absolved from them, that we are not bound to them, or we are not bound to make them good. Yet I should think, at least, if the breach of that engagement be to the prejudice of another whom we have persuaded to believe by our declaring such things, so that we led them to a confidence of it, to a dependence upon it, to a disadvantage to themselves or the losing of advantages to them; I say, I think then that though we were convinced they were unjust, and satisfied in this gentleman's principle, and free and disengaged from them, yet we who made that engagement should not make it our act to break it. Though we were con-

vinced that we are not bound to perform it, yet we should not make it our act to break it. And so I speak to enforce this upon the whole matter. As for the particulars of this Agreement, there are other questions: whether they have that goodness that they hold forth in show, or whether there are not some defects in them which are not seen, so that, if we should rest in this Agreement without something more, they would deceive us; and whether there be not some considerations that would tend more to union. But withal I wish that we who are the Army and are engaged with its public declarations, may consider how far those public declarations, which we then thought to be just, do oblige, that we may either resolve to make them good if we can in honest ways, or at least not make it our work to break them. And for this purpose I wish—unless the Council please to meet from time to time, from day to day, and to consider it themselves, to go over our papers and declarations and take the heads of them—I wish there may be some specially appointed for it; and I shall be very glad if it may be so that I myself may be none of them.

Rainborough: I shall crave your pardon if I may speak something freely; and I think it will be the last time I shall speak here, and from such a way that I never looked for. The consideration that I had in this Army and amongst honest men—not that it is an addition of honor and profit to me, but rather a detriment in both—is the reason that I speak something by way of apology first. This paper I saw by chance, and had no resolution to have been at this Council, nor any other since I took this employment upon me, but to do my duty. I met with a letter (which truly was so strange to me that I have been a little troubled, and truly I have so many sparks of honor and honesty in me) to let me know that my regiment should be immediately disposed from me. I hope that none in the Army will say but that I have performed my duty, and that with some success, as well as others. I am loath to leave the Army, with whom I will live and die, inso-much that rather than I will lose this regiment of mine the Parliament shall exclude me the House, imprison me; for truly while I am abroad I will not be undone at home. This was it that called me hither, and not anything of this paper. But now I shall speak something of it.

I shall speak my mind, that, whoever he be that hath done this,

he hath done it with much respect to the good of his country. It is said, there are many plausible things in it. Truly, many things have engaged me, which, if I had not known they should have been nothing but good, I would not have engaged in. It hath been said, that if a man be engaged he must perform his engagements. I am wholly confident that every honest man is bound in duty to God and his conscience, let him be engaged in what he will, to decline it when he sees it to be evil: he is engaged, and clearly convinced, to discharge his duty to God as ever he was for it. And that I shall make good out of the scripture, and clear it by that, if that be anything. There are two further objections are made against it.

‘The one is *division*. Truly I think we are utterly undone if we divide, but I hope that honest things have carried us on thus long, and will keep us together, and I hope that we shall not divide. Another thing is *difficulties*. Oh, unhappy men are we that ever began this war! If ever we had looked upon difficulties, I do not know that ever we should have looked an enemy in the face. Truly, I think the Parliament were very indiscreet to contest with the King if they did not consider first that they should go through difficulties; and I think there was no man that entered into this war, that did not engage to go through difficulties. And I shall humbly offer unto you—it may be the last time I shall offer, it may be so, but I shall discharge my conscience in it—it is this. That truly I think, let the difficulties be round about you—have you death before you, the sea on each side of you and behind you—are you convinced that the thing is just, I think you are bound in conscience to carry it on; and I think at the last day it can never be answered to God, that you did not do it. For I think it is a poor service to God and the kingdom, to take their pay and to decline the work. I hear said it’s a huge alteration, it’s a bringing in of new laws, and that this kingdom hath been under this government ever since it was a kingdom. If writings be true there have been many scufflings between the honest men of England and those that have tyrannized over them; and if it be true what I have read, there is none of those just and equitable laws that the people of England are born to, but are entrenchments on the once enjoyed privileges of their rulers altogether. But even if they were those which the people have been always under, if the people find that they are not suitable

to freemen as they are, I know no reason should deter me, either in what I must answer before God or the world, from endeavouring by all means to gain anything that might be of more advantage to them than the government under which they live. I do not press that you should go on with this thing, for I think that every man that would speak to it will be less able till he hath some time to consider it. I do make it my motion: That two or three days' time may be set for every man to consider, and all that is to be considered is the justness of the thing—and if that be considered then all things are—so that there may be nothing to deter us from it, but that we may do that which is just to the people.

Cromwell: Truly I am very glad that this gentleman that spoke last is here, and not sorry for the occasion that brought him hither, because it argues we shall enjoy his company longer than I thought we should have done—

Rainborough: If I should not be kicked out—

Cromwell: And truly then, I think, it shall not be long enough. But truly I do not know what the meaning of that expression is, nor what the meaning of any hateful word is here. For we are all here with the same integrity to the public; and perhaps we have all of us done our parts, not affrighted with difficulties, one as well as another, and, I hope, have all purposes henceforward—through the grace of God, not resolving in our own strength—to do so still. And therefore truly I think all the consideration is that. Amongst us we are almost all soldiers; all considerations of not fearing difficulties, or words of that kind, do wonderfully please us; all words of courage animate us to carry on our business, to do God's business, that which is the will of God. And I say it again, I do not think that any man here wants courage to do that which becomes an honest man and an Englishman to do. But we speak as men that desire to have the fear of God before our eyes, and men that may not resolve in the power of a fleshly strength to do that which we do, but to lay this as the foundation of all our actions, to do that which is the will of God. And if any man have a false conceit—on the one hand, deceitfulness, pretending that which he doth not intend, or a persuasion, on the other hand, to rely on fleshly strength—I think he will not prosper.

But to that which was moved by Colonel Rainborough, of the objections of difficulty and danger of the consequences: they are proposed not to any other end, but as things fitting consideration, not forged to deter from the consideration of the business. In the consideration of the thing that is new to us, and of everything that shall be new, that is of such importance as this is, I think that he that wishes the most serious advice to be taken of such a change as this is—so evident and clear—whoever offers that there may be most serious consideration, I think he does not speak impertinently. And truly it was offered to no other end than what I speak. I shall say no more to that.

But to the other, concerning engagements and breaking of them: I do not think that it was at all offered by anybody, that though an engagement were never so unrighteous it ought to be kept. No man offered a syllable or tittle to that purpose. For certainly it's an act of duty to break an unrighteous engagement; he that keeps it does a double sin, in that he made an unrighteous engagement, and that he goes about to keep it. But this was only offered, that before we can consider of this (and I know not what can be more fitly) we labour to know where we are, and where we stand. Perhaps we are upon engagements that we cannot with honesty break. But let me tell you this, that he that speaks to you of engagements here, is as free from engagements to the king as any man in all the world. I know it, and if it were otherwise, I believe my future actions would provoke some to declare it. But, I thank God, I stand upon the bottom of my own innocence in this particular; through the grace of God I fear not the face of any man, I do not. I say, we are to consider what engagements we have made; and if our engagements have been unrighteous, why should we not make it our endeavours to break them? Yet if they be unrighteous engagements it is not wise to hasten a present breach of them unless there be a consideration of circumstances. Circumstances may be such as I may not now break an unrighteous engagement, or else I may do that which I do scandalously, even if the thing itself be good. But if that be true concerning the breaking of an unrighteous engagement, it is much more verified concerning engagements disputable whether they be righteous or unrighteous. If so, I am sure it is fit we should dispute, and if, when we have disputed them, we see the goodness of God enlightening us

to see our liberties, I think we are to do what we can to give satisfaction to men. If it were so, as we made an engagement in judgment and knowledge, so we go off from it in judgment and knowledge. But there may be just engagements upon us, such as perhaps it will be our duty to keep; and if so, it is fit we should consider. And all that I said was that we should consider our engagements, and there is nothing else offered, and therefore what need anybody be angry or offended? Perhaps we have made such engagements as may in the matter of them not bind us; yet in some circumstances they may. Our engagements are public engagements. They are to the kingdom, and to every one in the kingdom that could look upon what we did publicly declare, could read or hear it read. They are to the Parliament. And it is a very fitting thing that we do seriously consider of the things. And this is what I shall shortly offer. That because the kingdom is in the danger it is in, because the kingdom is in that condition it is in, and time may be ill spent in debates, and it is necessary for things to be put to an issue (if ever it was necessary in the world it is now), I should desire this may be done. That this General Council may be appointed to meet against a very short time, two days—Thursday—if you would against Saturday, or at furthest against Monday; that there might be a committee out of this Council appointed to debate and consider with those two gentlemen, and with any others that are not of the Army that they shall bring, and with the Agitators of those five regiments; that so there may be a liberal and free debate had amongst us, that we may understand really, as before God, the bottom of our desires, and that we may seek God together, and see if God will give us an uniting spirit.

And give me leave to tell it you again, I am confident there sits not a man in this place that cannot so freely act with you that, if he sees that God hath shut up his way that he cannot do any service in that way as may be good for the kingdom, he will be glad to withdraw himself, and wish you all prosperity. And if this heart be in us, as is known to God that searches our hearts and trieth the reins, God will discover whether our hearts be not clear in this business. And therefore I shall move that we may have a committee amongst ourselves to consider of the engagements, and this committee to dispute things with others, and a short day to be appointed for the General Council. And I doubt

not but, if in sincerity we are willing to submit to that light that God shall cast in among us, God will unite us, and make us of one heart and one mind. Do the plausiblest things you can do, do that which hath the most appearance of reason in it, that tends to change: at this conjuncture of time you will find difficulties. But if God satisfy our spirits this will be a ground of confidence to every good man; and he that goes upon other grounds, he shall fall like a beast. I shall desire this: that you, or any other of the Agitators or gentlemen that can be here, will be here, that we may have free discourses amongst ourselves of things, and you will be able to satisfy each other. And really, rather than I would have this kingdom break in pieces before some company of men be united together to a settlement, I will withdraw myself from the Army tomorrow, and lay down my commission. I will perish before I hinder it.

[A digression occasioned by Lieutenant-Colonel William Goffe's proposal that a prayer meeting be held "that there might be a seeking of God in the things that now lie before us." *Cromwell*: "If that be approved of, that tomorrow shall be a time of seeking the Lord, and that the afternoon shall be the time of business, if that doth agree with your opinion and general sense, let that be first ordered."]

Wildman: I desire to return a little to the business in hand, that was the occasion of these other motions. I could not but take some notice of something that did reflect upon the Agents of the five regiments, in which I could not but give a little satisfaction as to them; and I shall desire to prosecute a motion or two that hath been already made. I observed that it was said, that these gentlemen do insist upon engagements in *The Case of the Army*, and therefore it was said to be contrary to the principles of the Agents, that an engagement which was unjust could lawfully be broken. I shall only observe this: that though an unjust engagement, when it appears unjust, may be broken; yet when two parties engage each that the other party may have satisfaction, because they are mutually engaged each to other, one party that apprehends they are broken is justified to complain of them; and so it may be their case, with which, I confess, I made my concurrence.

The other thing I would mention is a principle much spreading, and much to my trouble, and that is this: that when persons once be engaged, though the engagement appear to be unjust, yet the person must sit down and suffer under it; and that therefore, in case a Parliament, as a true Parliament, doth anything unjustly, if we be engaged to submit to the laws that they shall make, though they make an unjust law, though they make an unrighteous law, yet we must swear obedience. I confess, to me this principle is very dangerous, and I speak it the rather because I see it spreading abroad in the Army again—whereas it is contrary to what the Army first declared: that they stood upon such principles of right and freedom, and the Laws of Nature and Nations, whereby men were to preserve themselves though the persons to whom authority belonged should fail in it; and they urged the example of the Scots, and argued that the general that would destroy the army, they might hold his hands; and therefore if anything tends to the destruction of a people, because the thing is absolutely unjust that tends to their destruction, they may preserve themselves by opposing it. I could not but speak a word to that.

The motion that I should make upon that account is this. That whereas it is said there must be a meeting to examine differences and promote union, I could not find but that they were desirous to give all satisfaction, and they desire nothing but the union of the Army. Thus far it is their sense. But they apprehend that the necessity of the kingdom is such for present actings, that two or three days may lose the kingdom. I desire in the sight of God to speak—I mean plainly: there may be an agreement between the King and the Parliament by propositions, with a power to hinder the making of any laws that are good, and the tendering of any good laws. And therefore, because none of the people's grievances are redressed, they do apprehend that thus a few days may be the loss of the kingdom. I know it is their sense: that they desire to be excused, that it might not be thought any arrogancy in them, but they are clearly satisfied that the way they proceed in is just, and they desire to be excused if they go on in it; and yet, notwithstanding, they will give all satisfaction. And whereas it is desired that engagements may be considered, I shall desire that only the justice of the thing that is proposed may be considered. I would know whether the chief thing in the

Agreement, the intent of it, be not this, to secure the rights of the people in their Parliaments, which was declared by this Army, in the declaration of the fourteenth of June, to be absolutely insisted on. I shall make that motion to be the thing considered: Whether the thing be just, or the people's due? And then there can be no engagement to bind from it.

Ireton: Truly, sir, by what Lieutenant-Colonel Goffe moved, I confess, I was so taken off from all thoughts in this business that I did not think of speaking anything more. But what this gentleman hath last said hath renewed the occasion, and indeed if I did think all that he hath delivered be truth and innocence—nay, if I did not think that it hath venom and poison in it—I would not speak it.

First, I cannot but speak something unto the two particulars that he holds forth as dangerous things—indeed he hath clearly yoked them together, when before I was sensible of those principles and how far they would run together; that is that principle of not being obliged, by not regarding what engagements men have entered into, if in their future apprehensions the things they engaged to are unjust; and that principle, on the other hand, of not submitting passively to that authority we have engaged to for peace' sake. For he does hold forth his opinion in those two points to clear their way; and I must crave leave on my part to declare my opinion of that distinction doth lie on the other way.

I am far from holding that if a man have engaged himself to a thing that is not just—to a thing that is evil, that is sin if he do it—that that man is still bound to perform what he hath promised; I am far from apprehending that. But when we talk of just, it is not so much of what is sinful before God (which depends upon many circumstances of indignation to that man and the like), but it intends of that which is just according to the foundation of justice between man and man. And for my part I account that the great foundation of justice, that we should keep covenant one with another; without which I know nothing of justice betwixt man and man—in particular matters I mean, nothing in particular things that can come under human engagement one way or other. There is no other foundation of right I know, of right to any one thing from another man, no foundation of that particular justice or that particular righteousness, but this gen-

eral justice, and this general ground of righteousness, that we should keep covenant one with another. Covenants freely made, freely entered into, must be kept one with another. Take away that, I do not know what ground there is of anything you can call any man's right. I would very fain know what you gentlemen, or any other, do account the right you have to anything in England—anything of estate, land or goods, that you have, what ground, what right you have to it. What right hath any man to anything if you lay not down that principle, that we are to keep covenant? If you will resort only to the Law of Nature, by the Law of Nature you have no more right to this land, or anything else, than I have. I have as much right to take hold of anything that is for my sustenance, take hold of anything that I have a desire to for my satisfaction, as you. But here comes the foundation of all right that I understand to be betwixt men, as to the enjoying of one thing or not enjoying of it: we are under a contract, we are under an agreement, and that agreement is what a man has for matter of land that he hath received by a tradition from his ancestors, which according to the law does fall upon him to be his right. That agreement is that he shall enjoy, he shall have the property of, the use of, the disposing of the land, with submission to that general authority which is agreed upon amongst us for the preserving of peace, and for the supporting of this law. This I take to be the foundation of all right for matter of land. For matter of goods, that which does fence me from that right which another man may claim by the Law of Nature, of taking my goods, that which makes it mine really and civilly, is the law. That which makes it unlawful originally and radically is only this: because that man is in covenant with me to live together in peace one with another, and not to meddle with that which another is possessed of, but that each of us should enjoy, and make use of, and dispose of, that which by the course of law is in his possession, and another shall not by violence take it away from him. This is the foundation of all the right any man has to anything but to his own person. This is the general thing: that we must keep covenant one with another when we have contracted one with another. And if any difference arise among us, it shall be thus and thus: that I shall not go with violence to prejudice another, but with submission to this way. And therefore when I hear men speak of laying aside

all engagements to consider only that wild or vast notion of what in every man's conception is just or unjust, I am afraid and do tremble at the boundless and endless consequences of it. What are the principles you apply to this paper? You say, 'If these things in this paper, in this engagement, be just, then'—say you—'never talk of any prior engagement, for if anything in that engagement be against this, your engagement was unlawful; consider singly this paper, whether it be just.' In what sense do you think this is just? There is a great deal of equivocation as to what is just and unjust.

Wildman: I suppose you take away the substance of the question. Our sense was, that an unjust engagement is rather to be broken than kept. The Agents think that to delay is to dispose their enemy into such a capacity as he may destroy them. I make a question whether any engagement can be binding to an unjust thing. If a man may promise to do that which is never so much unjust, a man may promise to break all engagements and duties. But I say this: we must lay aside the consideration of engagements, so as not to take in that as one ground of what is just or unjust amongst men in this case. I do apply this to the case in hand: that it might be considered whether it be unjust to bring in the King in such a way as he may be in a capacity to destroy the people. This paper may be applied to the solution of it.

Ireton: You come to it more particularly than that paper leads. There is a great deal of equivocation (and that I am bound to declare) in the point of justice.

Audley: Mr. Wildman says, if we tarry long, if we stay but three days before you satisfy one another, the King will come and say who will be hanged first.

Major William Rainborough: I desire we may come to that end we all strive after. I humbly desire you will fall upon that which is the engagement of all, which is the rights and freedoms of the people, and let us see how far we have made sure to them a right and freedom, and if anything be tendered as to that in this paper. And when that engagement is gone through, then, let us consider of those things only that are of greater weight.

(*The paper called the Agreement read. Afterwards the first article read by itself.*)

Ireton: The exception that lies in it is this. It is said, they are to be distributed according to the number of the inhabitants: 'The people of England,' &c. And this doth make me think that the meaning is, that every man that is an inhabitant is to be equally considered, and to have an equal voice in the election of those representers, the persons that are for the general Representative; and if that be the meaning, then I have something to say against it. But if it be only that those people that by the civil constitution of this kingdom, which is original and fundamental, and beyond which I am sure no memory of record does go—

Cowling, [*interrupting*]: Not before the Conquest.

Ireton: But before the Conquest it was so. If it be intended that those that by that constitution that was before the Conquest, that hath been beyond memory, such persons that have been before by that constitution the electors, should be still the electors, I have no more to say against it.

Colonel Rainborough objected: That others might have given their hands to it.

. . .

Ireton asked: Whether those men whose hands are to it, or those that brought it, do know so much of the matter as to know whether they mean that all that had a former right of election are to be electors, or that those that had no right before are to come in.

Cowling: In the time before the Conquest. Since the Conquest the greatest part of the kingdom was in vassalage.

Petty: We judge that all inhabitants that have not lost their birthright should have an equal voice in elections.

Rainborough: I desired that those that had engaged in it might be included. For really I think that the poorest he that is in England hath a life to live, as the greatest he; and therefore truly, sir, I think it's clear, that every man that is to live under a government ought first by his own consent to put himself under

that government; and I do think that the poorest man in England is not at all bound in a strict sense to that government that he hath not had a voice to put himself under; and I am confident that, when I have heard the reasons against it, something will be said to answer those reasons, insomuch that I should doubt whether he was an Englishman or no, that should doubt of these things.

Ireton: That's the meaning of this, 'according to the number of the inhabitants'?

Give me leave to tell you, that if you make this the rule I think you must fly for refuge to an absolute natural right, and you must deny all civil right; and I am sure it will come to that in the consequence. This, I perceive, is pressed as that which is so essential and due: the right of the people of this kingdom, and as they are the people of this kingdom, distinct and divided from other people, and that we must for this right lay aside all other considerations; this is so just, this is so due, this is so right to them. And that those that they do thus choose must have such a power of binding all, and loosing all, according to those limitations, this is pressed as so due, and so just, as is argued, that it is an engagement paramount to all others: and you must for it lay aside all others; if you have engaged any otherwise, you must break it. We must so look upon these as thus held out to us; so it was held out by the gentleman that brought it yesterday. For my part, I think it is no right at all. I think that no person hath a right to an interest or share in the disposing of the affairs of the kingdom, and in determining or choosing those that shall determine what laws we shall be ruled by here—no person hath a right to this, that hath not a permanent fixed interest in this kingdom, and those persons together are properly the represented of this kingdom, and consequently are to make up the representers of this kingdom, who taken together do comprehend whatsoever is of real or permanent interest in the kingdom. And I am sure otherwise I cannot tell what any man can say why a foreigner coming in amongst us—or as many as will coming in amongst us, or by force or otherwise settling themselves here, or at least by our permission having a being here—why they should not as well lay claim to it as any other. We talk of birthright. Truly by birthright there is thus much claim. Men may justly

have by birthright, by their very being born in England, that we should not seclude them out of England, that we should not refuse to give them air and place and ground, and the freedom of the highways and other things, to live amongst us—not any man that is born here, though by his birth there come nothing at all (that is part of the permanent interest of this kingdom) to him. That I think is due to a man by birth. But that by a man's being born here he shall have a share in that power that shall dispose of the lands here, and of all things here, I do not think it a sufficient ground. I am sure if we look upon that which is the utmost (within man's view) of what was originally the constitution of this kingdom, upon that which is most radical and fundamental, and which if you take away, there is no man hath any land, any goods, any civil interest, that is this: that those that choose the representers for the making of laws by which this state and kingdom are to be governed, are the persons who, taken together, do comprehend the local interest of this kingdom; that is, the persons in whom all land lies, and those in corporations in whom all trading lies. This is the most fundamental constitution of this kingdom and that which if you do not allow, you allow none at all. This constitution hath limited and determined it that only those shall have voices in elections. It is true, as was said by a gentleman near me, the meanest man in England ought to have a voice in the election of the government he lives under—but only if he has some local interest. I say this: that those that have the meanest local interest—that man that hath but forty shillings a year, he *hath* as great voice in the election of a knight for the shire as he that hath ten thousand a year, or more if he had never so much; and therefore there is that regard had to it. But this local interest, still the constitution of this government hath had an eye to (and what other government hath not an eye to this?). It doth not relate to the interest of the kingdom if it do not lay the foundation of the power that's given to the representers, in those who have a permanent and a local interest in the kingdom, and who taken all together do comprehend the whole interest of the kingdom. There is all the reason and justice that can be: if I will come to live in a kingdom, being a foreigner to it, or live in a kingdom, having no permanent interest in it, if I will desire as a stranger, or claim as one freeborn here, the air, the free passage of highways, the protection of laws, and all

such things—if I will either desire them or claim them, I (if I have no permanent interest in that kingdom) must submit to those laws and those rules which they shall choose, who, taken together, do comprehend the whole interest of the kingdom. And if we shall go to take away this, we shall plainly go to take away all property and interest that any man hath either in land by inheritance, or in estate by possession, or anything else—if you take away this fundamental part of the civil constitution.

Rainborough: Truly, sir, I am of the same opinion I was, and am resolved to keep it till I know reason why I should not. I confess my memory is bad, and therefore I am fain to make use of my pen. I remember that, in a former speech this gentleman brought before this meeting, he was saying that in some cases he should not value whether there were a king or no king, whether lords or no lords, whether a property or no property. For my part I differ in that. I do very much care whether there be a king or no king, lords or no lords, property or no property; and I think, if we do not all take care, we shall all have none of these very shortly. But as to this present business. I do hear nothing at all that can convince me, why any man that is born in England ought not to have his voice in election of burgesses. It is said that if a man have not a permanent interest, he can have no claim; and we must be no freer than the laws will let us be, and that there is no law in any chronicle will let us be freer than that we now enjoy. Something was said to this yesterday. I do think that the main cause why Almighty God gave men reason, it was that they should make use of that reason, and that they should improve it for that end and purpose that God gave it them. And truly, I think that half a loaf is better than none if a man be anhungry: this gift of reason without other property may seem a small thing, yet I think there is nothing that God hath given a man that any one else can take from him. And therefore I say, that either it must be the Law of God or the law of man that must prohibit the meanest man in the kingdom to have this benefit as well as the greatest. I do not find anything in the Law of God, that a lord shall choose twenty burgesses, and a gentleman but two, or a poor man shall choose none: I find no such thing in the Law of Nature, nor in the Law of Nations. But I do find that all Englishmen must be subject to English

laws, and I do verily believe that there is no man but will say that the foundation of all law lies in the people, and if it lie in the people, I am to seek for this exemption.

And truly I have thought something: in what a miserable distressed condition would many a man that hath fought for the Parliament in this quarrel be! I will be bound to say that many a man whose zeal and affection to God and this kingdom hath carried him forth in this cause, hath so spent his estate that, in the way the state and the Army are going, he shall not hold up his head, if when his estate is lost, and not worth forty shillings a year, a man shall not have any interest. And there are many other ways by which estates men have (if that be the rule which God in his providence does use) do fall to decay. A man, when he hath an estate, hath an interest in making laws, when he hath none, he hath no power in it; so that a man cannot lose that which he hath for the maintenance of his family but he must also lose that which God and nature hath given him! And therefore I do think, and am still of the same opinion, that every man born in England cannot, ought not, neither by the Law of God nor the Law of Nature, to be exempted from the choice of those who are to make laws for him to live under, and for him, for aught I know, to lose his life under. And therefore I think there can be no great stick in this.

Truly I think that there is not this day reigning in England a greater fruit or effect of tyranny than this very thing would produce. Truly I know nothing free but only the knight of the shire, nor do I know anything in a parliamentary way that is clear from the height and fulness of tyranny, but only that. As for this of corporations, it is as contrary to freedom as may be. For, sir, what is it? The King he grants a patent under the Broad Seal of England to such a corporation to send burgesses, he grants to a city to send burgesses. When a poor base corporation from the King's grant shall send two burgesses, when five hundred men of estate shall not send one, when those that are to make their laws are called by the King, or cannot act but by such a call, truly I think that the people of England have little freedom.

Ireton: I think there was nothing that I said to give you occasion to think that I did contend for this, that such a corporation should have the electing of a man to the Parliament. I think

I agreed to this matter, that all should be equally distributed. But the question is, whether it should be distributed to all persons, or whether the same persons that are the electors now should be the electors still, and it be equally distributed amongst *them*. I do not see anybody else that makes this objection; and if nobody else be sensible of it I shall soon have done. Only I shall a little crave your leave to represent the consequences of it, and clear myself from one thing that was misrepresented by the gentleman that sat next me. I think, if the gentleman remember himself, he cannot but remember that what I said was to this effect: that if I saw the hand of God leading so far as to destroy King, and destroy Lords, and destroy property, and leave no such thing at all amongst us, I should acquiesce in it; and so I did not care, if no king, no lords, or no property should be, in comparison of the tender care that I have of the honour of God, and of the people of God, whose good name is so much concerned in this Army. This I did deliver so, and not absolutely.

All the main thing that I speak for, is because I would have an eye to property. I hope we do not come to contend for victory—but let every man consider with himself that he do not go that way to take away all property. For here is the case of the most fundamental part of the constitution of the kingdom, which if you take away, you take away all by that. Here men of this and this quality are determined to be the electors of men to the Parliament, and they are all those who have any permanent interest in the kingdom, and who, taken together, do comprehend the whole interest of the kingdom. I mean by permanent and local, that it is not able to be removed anywhere else. As for instance, he that hath a freehold, and that freehold cannot be removed out of the kingdom; and so there's a freeman of a corporation, a place which hath the privilege of a market and trading, which if you should allow to all places equally, I do not see how you could preserve any peace in the kingdom, and that is the reason why in the constitution we have but some few market towns. Now those people that have freeholds and those that are the freemen of corporations, were looked upon by the former constitution to comprehend the permanent interest of the kingdom. For, he that hath his livelihood by his trade, and by his freedom of trading in such a corporation, which he cannot exercise in another, he is tied to that place, his livelihood depends upon it.

And secondly, that man hath an interest, hath a permanent interest there, upon which he may live, and live a freeman without dependence. These things the constitution of this kingdom hath looked at. Now I wish we may all consider of what right you will challenge that all the people should have right to elections. Is it by the right of nature? If you will hold forth that as your ground, then I think you must deny all propriety too, and this is my reason. For thus: by that same right of nature (whatever it be) that you pretend, by which you can say, one man hath an equal right with another to the choosing of him that shall govern him—by the same right of nature, he hath the same right in any goods he sees—meat, drink, clothes—to take and use them for his sustenance. He hath a freedom to the land, the ground, to exercise it, till it; he hath the freedom to anything that any one doth account himself to have any propriety in. Why now I say then, if you, against the most fundamental part of the civil constitution (which I have now declared), will plead the Law of Nature, that a man should (paramount to this, and contrary to this) have a power of choosing those men that shall determine what shall be law in this state, though he himself have no permanent interest in the state, but whatever interest he hath he may carry about with him—if this be allowed, because by the right of nature we are free, we are equal, one man must have as much voice as another, then show me what step or difference there is, why I may not by the same right take your property, though not of necessity to sustain nature. It is for my better being, and the better settlement of the kingdom? Possibly not for it, neither: possibly I may not have so real a regard to the peace of the kingdom as that man who hath a permanent interest in it. He that is here to-day, and gone to-morrow, I do not see that he hath such a permanent interest. Since you cannot plead to it by anything but the Law of Nature, or for anything but for the end of better being, and since that better being is not certain, and what is more, destructive to another; upon these grounds, if you do, paramount to all constitutions, hold up this Law of Nature, I would fain have any man show me their bounds, where you will end, and why you should not take away all property.

Rainborough: I shall now be a little more free and open with you than I was before. I wish we were all true-hearted, and that

we did all carry ourselves with integrity. If I did mistrust you I would not use such asseverations. I think it doth go on mistrust, and things are thought too readily matters of reflection, that were never intended. For my part, as I think, *you* forgot something that was in *my* speech, and you do not only yourselves believe that men are inclining to anarchy, but you would make all men believe that. And, sir, to say because a man pleads that every man hath a voice by right of nature, that therefore it destroys by the same argument all property—this is to forget the Law of God. That there's a property, the Law of God says it; else why hath God made that law, *Thou shalt not steal*? I am a poor man, therefore I must be oppressed: if I have no interest in the kingdom, I must suffer by all their laws be they right or wrong. Nay thus: a gentleman lives in a country and hath three or four lordships, as some men have (God knows how they got them); and when a Parliament is called he must be a Parliament-man; and it may be he sees some poor men, they live near this man, he can crush them—I have known an invasion to make sure he hath turned the poor men out of doors; and I would fain know whether the potency of rich men do not this, and so keep them under the greatest tyranny that was ever thought of in the world. And therefore I think that to that it is fully answered: God hath set down that thing as to property with this law of his, *Thou shalt not steal*. And for my part I am against any such thought, and, as for yourselves, I wish you would not make the world believe that we are for anarchy.

Cromwell: I know nothing but this, that they that are the most yielding have the greatest wisdom; but really, sir, this is not right as it should be. No man says that you have a mind to anarchy, but that the consequence of this rule tends to anarchy, must end in anarchy; for where is there any bound or limit set if you take away this limit, that men that have no interest but the interest of breathing shall have no voice in elections? Therefore I am confident on 't, we should not be so hot one with another.

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Clarke: I presume that the great stick here is this: that if every one shall have his natural propriety of election it does bereave the kingdom of its principal fundamental constitution, that it now hath. I presume that all people, and all nations whatsoever,

have a liberty and power to alter and change their constitutions if they find them to be weak and infirm. Now if the people of England shall find this weakness in their constitution, they may change it if they please. Another thing is this: it is feared that if the light of nature be only followed in this, it may destroy the propriety which every man can call his own. But it will not, and the reason is this, because this principle and light of nature doth give all men their own—as, for example, the clothes upon my back because they are not another man's. Finally if every man hath this propriety of election to choose those who shall make the laws, you fear it may beget inconveniences. I do not conceive that anything may be so nicely and precisely done but that it may admit of inconveniency. If it be that there is inconveniency in that form of the constitution wherein it is now, there may some of those inconveniences rise from the changes, that are apprehended from them. For my part I know nothing of fatal consequence in the relation of men but the want of love in it, and then, if difference arises, the sword must decide it.

Chillenden: In the beginning of this discourse there were overtures made of imminent danger. This way we have taken this afternoon is not the way to prevent it. I would humbly move that we should put a speedy end to this business, and that not only to this main question of the paper, but also according to the Lieutenant-General's motion, that a committee may be chosen seriously to consider the things in that paper, and compare them with divers things in our declarations and engagements, that so we may show ourselves ready, as we have all professed, to lay down ourselves before God. If we take this course of debating upon one question a whole afternoon, and if the danger be so near as it is supposed, it were the ready way to bring us into it. I desire that things may be put into a speedy dispatch.

Sir Hardress Waller: This was that I was desirous of saying. (I confess I have not spoken yet, and I was willing to be silent, having heard so many speak, that I might learn). It is not easy for us to say when this dispute will have an end; but I think it is easy to say when the kingdom will have an end. If we do not breathe out ourselves, we shall be kicked and spurned of all the world. I would fain know how far the question will decide it; for certainly

we must not expect, while we have tabernacles here, to be all of one mind. If it be to be decided by a question, and all parties are satisfied in that, I think the sooner you hasten to it the better. If otherwise, we shall needlessly discover our dividing opinion, which as long as it may be avoided I desire it may. Therefore I desire to have a period put to this debate.

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Putney, 1st November 1647

At the General Council of the Army

The Lieutenant-General first moved, that every one might speak their experiences as the issue of what God had given in, in answer to their prayers.

Captain Francis Allen made a speech, expressing what experiences he had received from himself and from divers other godly people: that the work that was before them was to take away the negative voice of the King and Lords.

Captain John Carter expressed his experiences: that he found not any inclination in his heart (as formerly) to pray for the King, that God would make him yet a blessing to the kingdom.

Cowling made a speech expressing that the sword was the only thing that had from time to time recovered our rights, and which he ever read in the word of God had recovered the rights of the people; that our ancestors had still recovered from the Danes and Normans their liberties, by the sword, when they were under such a slavery that an Englishman was as hateful then as an Irishman is now, and what an honor those that were noblemen thought it to marry their daughters to, or to marry the daughters of, any cooks or bakers of the Normans.

Lieutenant-Colonel Henry Lilburne said: That he never observed that the recovery of our liberties which we had before the Normans was the occasion of our taking up arms, or the main quarrel; and that the Norman laws were not slavery introduced upon us, but an augmentation of our slavery before. Therefore what was by some offered, I doubt, for those reasons I have given you, was not of God.

A report from Colonel Lambert's regiment that two horsemen,

Agitators, came and persuaded them to send new Agitators, for that the officers had broken their engagements.

Cromwell: As to that which hath been heretofore moved concerning the negative vote, or things which have been delivered on that matter, in papers and otherwise, some may indeed present a real pleasing of the King; but I do not say that they have all pleased; for I think that the King is king by contract; and I shall say, as Christ said, 'Let him that is without sin cast the first stone,' and mind you of that word of bearing one with another—it was taught us to-day. If we had carried it on in the Parliament, and by our power, without any things laid on us of that kind, so that we could say that we were without transgression, I should then say it were just to cut off transgressors; but considering that we are in our own actions failing in many particulars, I think there is much necessity of pardoning of transgressors.

For the actions that are now to be done, and those that must do them, I think it is their proper place to conform to the Parliament, that first gave them their being; and I think it is considerable whether they do contrive to suppress the power of the King and his party by that power or no, if they do continue their endeavour to suppress them. And indeed how they can take the determination of commanding men, conducting men, quartering men, keeping guards, without an authority otherwise than from themselves, I am ignorant. And therefore I think there is much need in the Army to conform to those things that are within their sphere. For those things that have been done in the Army, as this of issuing *The Case of the Army Truly Stated*, there is much in it useful, and to be condescended to; but I am not satisfied how far we shall do well to press it. Either they are a Parliament or no Parliament. If they be no Parliament they are nothing, and we are nothing likewise. If they be a Parliament, we are not to proceed without them in our plan for settlement, but to offer it to them. If I could see a visible presence of the people, either by subscriptions or number, I should be satisfied with it; for in the government of nations that which is to be looked after is the affections of the people. And that, if I find it, would satisfy my conscience in the present thing.

Consider the case of the Jews. They were first divided into

families where they lived, and had heads of families to govern them, and they were next under judges, and then they were under kings. When they came to desire a king they had a king, first elective, and secondly by succession. In all these kinds of government they were happy and contented. If you make the best of it, if you should change the government to the best of it, it is but a mortal thing. It is but, as Paul says, 'dross and dung in comparison of Christ'; and I ask why we shall so far contest for temporal things, that if we cannot have this freedom peacefully we will venture life and livelihood for it. When every man shall come to this condition of mind, I think the state will come to desolation.

Therefore the considering of what is fit for the kingdom does belong to the parliament, provided they be well composed in their creation and election. How far I shall think we ought to leave it to the present Parliament to offer it, will depend on their willingness to do so. There may be care had to secure a proper representation. That the elections, or forms of choosing the Parliament, are very unequal is evident, as I could name but one for a corporation to choose two. I shall desire that there may be a common form for the electing of Parliaments. And another thing is the perpetuity of the Parliament; that there is no assurance to the people but that it is to be perpetual, which does not satisfy the kingdom. And for other things that are subject to the King's negative vote so as he thereby may cast you off wholly, it hath been the resolution of the Parliament and of the Army to safeguard these things. If there be a possibility then of the Parliament's offering those things unto the King, that may secure us, I think there is much may be said for the doing of it.

As for the present condition of the Army, I shall speak something of it. For the conduct of the Army, I perceive there are several declarations from the Army calling rendezvous and otherwise containing disobligations to the General's orders. I must confess I have a commission from the General, and I understand that I am to do by it. I shall conform to him according to the rules and discipline of war, and according to those rules I ought to be conformable to no orders but his. And therefore I conceive it is not in the power of any particular men to call a rendezvous of a troop or regiment, or in the least to disoblige the Army from those commands of the General; which must be de-

structive to us in general or to every particular man in the Army. This way is destructive to the Army, I say, and to every particular man in the Army. I have been informed by some of the King's party, that if they give us rope enough we will hang ourselves. We shall hang ourselves if we do not conform to the rules of war. And therefore I shall move that what we shall centre upon must be the rules of war and our authority from the Parliament. We must not let go of that if it have but the face of authority. We are like a drowning man: if it be but an hare swimming over the Thames, he will take hold of it rather than let it go.

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Wildman: I could wish we should have recourse to principles and maxims of just government, instead of arguments of safety which are as loose as can be.

Ireton: The government of Kings, or of Lords, is as just as any in the world, is the justest government in the world. *Volenti non fit injuria*. Men cannot wrong themselves willingly, and if they will agree to make a King, and his heirs, there's no injustice. They may either make it hereditary or elective. They may give him an absolute power or a limited power. Here hath been agreements of the people that have agreed with this. There hath been such an agreement when the people have fought for their liberty, and have established the King again.

Wildman: 'Twas their superstition, to have such an opinion of a great man.

Ireton: Any man that makes a bargain, and does find afterwards 'tis for the worse, yet is bound to stand to it.

Wildman: They were cozened, as we are like to be.

Ireton: I would not have you talk of principles of just government when you hold that all governments that are set up by consent are just. Argue instead that such or such a way, *that* can consist with the liberty of the people. Then we shall go to clear reason. That's one maxim, that all government must be for the safety of the people.

Tichborne: Let us keep to that business of safety. 'Tis upon the matter of safety that the real power of making laws is vested

solely in the people by what hath been proposed. In that I give King and Lords no more than an opportunity to do me a courtesy if they will—

Wildman interrupting: No courtesy.

Tichborne: It is only an opportunity—and to show themselves as willing as the Commons. Let us not fight with shadows.

Wildman: We do not know what opportunity God will give us.

Ireton: If God will destroy King or Lords he can do it without our or your wrong-doing. If you not only take away all power from them, which this clearly does, but do also take away all kind of distinction of them from other men, then you do them wrong. Their having such a distinction from other men cannot do us wrong. That you can do to the utmost for their safety is this: that a Lord or King may preserve his own person or estate free from the Commons. Now I would know whether this can be destructive to the Commons, that so few men should be distinct from a law made by the Commons, especially when we have laws made as to the preserving of the peace of the kingdom and preserving every man in his right. The King and Lords are suable, impleadable, in any court. The King may be sued, and tried by a jury, and a Lord may be sued, and tried *per pares* only, as a knight by esquires. What needs more, where there are such laws already that the King and Lords are so bound?

Wildman: I conceive that the difference does not lie here, but whether the King shall so come in that the Parliament must make their addresses themselves unto him for the confirmation of everything they pass. Whether it be a shadow or no, I think it is a substance when nothing shall be made but by address to the King. This will be very shameful in future chronicles, that after so much blood there should be no better an issue for the Commons.

Ireton: Do you think we have not laws good enough for the securing of the rights of the Commons?

Wildman: I think that according to the letter of the law, if the King will, he may kill me by law. Ask any lawyers of it: by

the letter of the present law he may kill me, and forty more, and no law call him to account for it.

Ireton: I think no man will think it. When the King stands thus bound with so many laws about him, and all the Commons of England bound to obey what law they by their representatives do make, let any man guess whether the King, as he is a single person, will hazard himself to kill this, or that, or any other man.

Wildman: It will be thought boldness in me not to agree. If God will open your hearts to provide so that the King may not do me injury, I shall be glad of it. If not, I am but a single man, I shall venture myself and my share in the common bottom.

Resolved, that the Council be adjourned till to-morrow, and so from day to day till the Proposals be all debated, and the same committee to meet again.

III

The Execution of Charles I

FEW men could have seriously imagined when the civil war began that it would end with the beheading of the king. That it did so was due largely to two circumstances: the stubbornness of Charles and the increasing radicalism of his enemies. As for the first, it is impossible to read the history of England in the seventeenth century without concluding that personality is indeed a major force in shaping the course of events. With the exception of Charles II, who had spent ten years in exile and was determined (as he put it) not to go on his travels again, the Stuart kings of England combined stubbornness, dogmatism and ambition with an almost total lack of understanding of the constitutional and political position in which history had placed them. This is nowhere more apparent than in the continuing attempts of Charles I to win for himself a degree of power and freedom comparable to those of the absolute monarchs of the continent. For eleven years, from 1629 to 1640, he contrived to rule his realm without summoning parliament, using the most ingenious and dangerous devices to produce the revenue he needed. Predictably, when a financial crisis forced the calling of parliament in 1640, relations between the legislators and their sovereign were not cordial. Still, what was at stake for most parliamentarians was the establishment (or re-establishment, as they argued) of a proper constitutional balance within the framework of the monarchy. Even at the end of the first Civil War parliament and the officers of the New Model Army carried on lengthy negotiations with Charles in the hope of arriving at a satisfactory compromise. Ironically, the position which Charles

took in his secret treaty with the Scots in 1647 would have been more than sufficient to satisfy his English opponents in 1642; but one suspects that his belated espousal of presbyterianism reflected a desperate attempt to find allies rather than a genuine willingness to alter his position.

In any case, the shift of the balance of power within the camp of the king's enemies soon destroyed any possibility of a monarchical settlement. It has often been observed that revolutions tend in their first stages to move toward increasing radicalism, and this tendency is nowhere more evident than in the period 1640-1650 in England. One can follow it very conveniently by noting the composition and political complexion of the House of Commons. We have already seen that the fairly moderate Grand Remonstrance was passed by a bare majority of eleven votes out of 307 in 1641. In January of 1642, however, 65 royalist members of Commons withdrew from parliament, causing an immediate leftward shift in the balance. During the first Civil War the House of Commons was dominated by a presbyterian majority, and it was this group that undertook to reach a settlement with the king during 1646 and 1647. The mutual (and well-founded) suspicion that existed between the Commons and the more radical New Model Army is revealed in the continuing and somewhat inelegant struggle for possession of the person of the king during the period of negotiations. Finally, after the king's duplicity had enraged even the parliamentarians, the Commons voted in January 1648 to renounce their allegiance and to have no further dealings with Charles. It would seem that parliament and the army were now at one, but this was not the case. After the successful conclusion of the second Civil War, the parliament rescinded its earlier decision and once again took up negotiations with Charles. This proved too much for the patience of the army: on December 1, 1648, the king was once more taken into custody by the military, and on the sixth of December Colonel Thomas Pride forcibly expelled 96 presbyterian members of Commons. What now remained of the moderate Long Parliament of 1640 was The Rump: a group of some sixty radical republicans and independents. It was this body which on December 13 voted to bring the king to trial for high treason.

1. THE ACT ERECTING A HIGH COURT OF JUSTICE FOR THE TRIAL OF CHARLES I

(6 January 1649)

Whereas it is notorious that Charles Stuart, the now King of England, not content with the many encroachments which his predecessors had made upon the people in their rights and freedom, hath had a wicked design totally to subvert the ancient and fundamental laws and liberties of this nation, and in their place to introduce an arbitrary and tyrannical government, and that besides all other evil ways and means to bring his design to pass, he hath prosecuted it with fire and sword, levied and maintained a civil war in the land, against the Parliament and kingdom; whereby this country hath been miserably wasted, the public treasure exhausted, trade decayed, thousands of people murdered, and infinite other mischiefs committed; for all which high and treasonable offenses the said Charles Stuart might long since have justly been brought to exemplary and condign punishment: whereas also the Parliament, well hoping that the restraint and imprisonment of his person, after it had pleased God to deliver him into their hands, would have quieted the distempers of the kingdom, did forbear to proceed judicially against him, but found, by sad experience, that such their remissness served only to encourage him and his accomplices in the continuance of their evil practices, and in raising new commotions, rebellions and invasions: for the prevention therefore of the like or greater inconveniences, and to the end no Chief Officer or Magistrate whatsoever may hereafter presume, traitrously and maliciously, to imagine or contrive the enslaving or destroying of the English nation, and to expect impunity for so doing; be it enacted and ordained by the Lords and Commons in Parliament assembled, and it is hereby enacted and ordained by the authority thereof, that the Earls of Kent, Nottingham, Pembroke, Denbigh and Mulgrave, the Lord Grey of Wark, Lord Chief Justice Rolle of the King's Bench, Lord Chief Justice St. John of the Common Pleas, and Lord Chief Baron Wylde, the Lord Fairfax, Lieutenant-General Cromwell, [&c in all about 150] shall be and are

hereby appointed and required to be Commissioners and Judges for the hearing, trying and judging of the said Charles Stuart; and the said Commissioners, or any twenty or more of them, shall be, and are hereby authorized and constituted an High Court of Justice, to meet and sit at such convenient times and place as by the said Commissioners, or the major part, or twenty or more of them, under their hands and seals, shall be appointed and notified by proclamation in the Great Hall or Palace Yard of Westminster; and to adjourn from time to time, and from place to place, as the said High Court, or the major part thereof, at meeting shall hold fit; and to take order for the charging of him, the said Charles Stuart, with the crimes and treasons above mentioned, and for receiving his personal answer thereunto, and for examination of witnesses upon oath (which the Court hath hereby authority to administer) or otherwise, and taking any other evidence concerning the same; and thereupon, or in default of such answer, to proceed to final sentence according to justice and the merit of the cause; and such final sentence to execute, or cause to be executed, speedily and impartially.

And the said court is hereby authorized and required to choose and appoint all such officers, attendants and other circumstances as they, or the major part of them, shall in any sort judge necessary or useful for the orderly and good managing of the premises; and Thomas Lord Fairfax the General, and all officers and soldiers under his command, and all officers of justice, and other well-affected persons, are hereby authorized and required to be aiding and assisting unto the said Court in the due execution of the trust hereby committed unto them; provided that this Act, and the authority hereby granted, do continue in force for the space of one month from the date of the making thereof, and no longer.

2. THE CHARGE BROUGHT AGAINST CHARLES I

(20 January 1649)

That the said Charles Stuart, being admitted King of England, and therein trusted with a limited power to govern by and according to the laws of the land, and not otherwise; and by his trust, oath and office being obliged to use the power committed



CHARLES I

to him for the good and benefit of the people, and for the preservation of their rights and liberties; yet, nevertheless, out of a wicked design to erect and uphold in himself an unlimited and tyrannical power to rule according to his will, and to overthrow the rights and liberties of the people, yea, to take away and make void the foundations thereof, and of all redress and remedy of misgovernment, which by the fundamental constitutions of this kingdom were reserved on the people's behalf in the right and power of frequent and successive Parliaments, or national meetings in Council; he, the said Charles Stuart, for accomplishment of such his designs, and for the protecting of himself and his adherents in his and their wicked practices, to the same ends hath traitorously and maliciously levied war against the present Parliament, and the people therein represented, particularly upon or about the 30th day of June, in the year of our Lord 1642, at Beverly, in the County of York; and upon or about the 24th day of August in the same year, at the County of the Town of Nottingham, where and when he set up his standard of war [nine other occasions are listed] and upon or about the 8th day of June, in the year of our Lord 1645, at the Town of Leicester; and also upon the 14th day of the same month in the same year, at Nasebyfield, in the County of Northampton. At which several times and places, or most of them, and at many other places in this land, at several other times within the years aforementioned, and in the year of our Lord 1646, he, the said Charles Stuart, hath caused and procured many thousands of the free people of this nation to be slain; and by divisions, parties and insurrections within this land, by invasions from foreign parts, endeavored and procured by him, and by many other evil ways and means, he, the said Charles Stuart, hath not only maintained and carried on the said war both by land and sea, during the years beforementioned, but also hath renewed, or caused to be renewed, the said war against the Parliament and good people of this nation in this present year 1648, in the Counties of Kent, Essex, Surrey, Sussex, Middlesex, and many other Counties and places in England and Wales, and also by sea. And particularly he, the said Charles Stuart, hath for that purpose given commission to his son the Prince, and others, whereby, besides multitudes of other persons, many such as were by the Parliament entrusted and employed for the safety of the nation (being by him or his

agents corrupted to the betraying of their trust, and revolting from the Parliament), have had entertainment and commission for the continuing and renewing of war and hostility against the said Parliament and people as aforesaid. By which cruel and unnatural wars, by him, the said Charles Stuart, levied, continued, and renewed as aforesaid, much innocent blood of the free people of this nation hath been spilt; many families have been undone, the public treasure wasted and exhausted, trade obstructed and miserably decayed, vast expense and damage to the nation incurred, and many parts of this land spoiled, some of them even to desolation. And for further prosecution of his said evil designs, he, the said Charles Stuart, doth still continue his commissions to the said Prince, and other rebels and revolters, both English and foreigners, and to the Earl of Ormond, and the Irish rebels and revolters associated with him; from whom further invasions upon this land are threatened, upon the procurement, and on the behalf of the said Charles Stuart.

All which wicked designs, wars, and evil practices of him, the said Charles Stuart, have been, and are carried on for the advancement and upholding of a personal interest of will, power, and pretended prerogative to himself and his family, against the public interest, common right, liberty, justice, and peace of the people of this nation, by and from whom he was entrusted as aforesaid.

By all which it appeareth that the said Charles Stuart hath been, and is the occasioner, author, and continuer of the said unnatural, cruel and bloody wars; and therein guilty of all the treasons, murders, rapines, burnings, spoils, desolations, damages and mischiefs to this nation, acted and committed in the said wars, or occasioned thereby.

3. STATEMENT OF CHARLES I TO THE HIGH COURT

(21 January 1649)

Having already made my protestations, not only against the illegality of this pretended Court, but also, that no earthly power can justly call me (who am your King) in question as a delinquent, I would not any more open my mouth upon this occasion,

more than to refer myself to what I have spoken, were I in this case alone concerned: but the duty I owe to God in the preservation of the true liberty of my people will not suffer me at this time to be silent; for, how can any free-born subject of England call life or anything he possesseth his own, if power without right daily make new, and abrogate the old fundamental laws of the land, which I now take to be the present case? Wherefore when I came hither, I expected that you would have endeavored to have satisfied me concerning these grounds which hinder me to answer your pretended impeachment. But since I see that nothing I can say will move you to it (though negatives are not so naturally proved as affirmatives) yet I will show you the reason why I am confident you cannot judge me, nor indeed the meanest man in England. For I will not (like you) without showing a reason seek to impose a belief upon my subjects.

There is no proceeding just against any man, but what is warranted either by God's laws or the municipal laws of the country where he lives. Now I am most confident this day's proceeding cannot be warranted by God's laws; for, on the contrary, the authority of obedience unto Kings is clearly warranted and strictly commanded in both the Old and New Testament, which, if denied, I am ready instantly to prove.

And for the question now in hand, there it is said that "where the word of a King is, there is power; and who may say unto him, what dost thou?" (Ecclesiastes, viii, 4) Then for the law of this land, I am no less confident that no learned lawyer will affirm that an impeachment can lie against the King, they all going in his name. And one of their maxims is, that the King can do no wrong. Besides, the law upon which you ground your proceedings must either be old or new. If old, show it. If new, tell what authority, warranted by the fundamental laws of the land, hath made it, and when. But how the House of Commons can erect a Court of Judicature, which was never one itself (as is well known to all lawyers) I leave to God and the world to judge. And it were full as strange, that they should pretend to make laws without King or Lords' House, to any that have heard speak of the laws of England.

And admitting, but not granting, that the people of England's commission could grant your pretended power, I see nothing you can show for that. For certainly you never asked the question of

the tenth man in the kingdom, and in this way you manifestly wrong even the poorest ploughman if you demand not his free consent. Nor can you pretend any color for this your pretended commission without the consent at least of the major part of every man in England of whatsoever quality or condition, which I am sure you never went about to seek, so far are you from having it. Thus you see that I speak not for my own right alone, as I am your King, but also for the true liberty of all my subjects, which consists not in the power of government, but in living under such laws, such a government, as may give themselves the best assurance of their lives and property of their goods. Nor in this must or do I forget the privileges of both Houses of Parliament, which this day's proceedings do not only violate, but likewise occasion the greatest breach of their public faith that (I believe) ever was heard of, with which I am far from charging the two Houses. For all the pretended crimes laid against me bear date long before this Treaty at Newport, in which I having concluded as much as in me lay, and hopefully expecting the House's agreement thereunto, I was suddenly surprised and hurried from thence as a prisoner; upon which account I am against my will brought hither, where since I am come I cannot but to my power defend the ancient laws and liberties of this kingdom, together with my own just right. Then for anything I can see, the higher House is totally excluded. And for the House of Commons, it is too well known that the major part of them are detained or deterred from sitting. So, as if I had no other, this were sufficient for me to protest against the lawfulness of your pretended Court. Besides all this, the peace of the kingdom is not the least in my thoughts; and what hope of settlement is there so long as power reigns without rule or law, changing the whole frame of government under which this kingdom hath flourished for many hundred years? (Nor will I say what will fall out in case this lawless, unjust proceeding against me do go on). And believe it, the Commons of England will not thank you for this change. For they will remember how happy they have been of late years under the reigns of Queen Elizabeth, and the King my father, and myself, until the beginning of these unhappy troubles, and will have cause to doubt, that they shall never be so happy under any new. And by this time it will be too sensibly evident that the arms I took up were only to

defend the fundamental laws of this kingdom against those who have supposed my power hath totally changed the ancient government.

Thus, having showed you briefly the reasons why I cannot submit to your pretended authority without violating the trust which I have from God for the welfare and liberty of my people, I expect from you either clear reasons to convince my judgment, showing me that I am in an error (and then truly I will answer) or that you will withdraw your proceedings.

This I intended to speak in Westminster Hall, on Monday, January 22, but against reason was hindered to show my reasons.

4. SENTENCE OF THE HIGH COURT OF JUSTICE

(27 January 1649)

Whereas the Commons of England assembled in Parliament have by their late Act entitled an *Act of the Commons of England assembled in Parliament for erecting an High Court of Justice for the trying and judging of Charles Stuart, King of England*, authorized and constituted us an High Court of Justice for the trying and judging of the said Charles Stuart for the crimes and treasons in the said Act mentioned; by virtue whereof the said Charles Stuart hath been three several times convened before this High Court, where the first day, being Saturday, the 20th of January instant, in pursuance of the said Act, a charge of high treason and other high crimes was, in behalf of the people of England, exhibited against him and read openly unto him, wherein he was charged, that he, the said Charles Stuart, being admitted King of England, and therein trusted with a limited power to govern by and according to the law of the land and not otherwise; and by his trust, oath, and office being obliged to use the power committed to him for the good and benefit of the people, and for the preservation of their rights and liberties; yet, nevertheless, out of a wicked design to erect and uphold in himself an unlimited and tyrannical power to rule according to his will, and to overthrow the rights and liberties of the people, and to take away and make void the foundations thereof, and of all redress and remedy of misgovernment, which by the fundamental constitutions of this kingdom were reserved on the

people's behalf in the right and power of frequent and successive Parliaments, or national meetings in Council; he, the said Charles Stuart, for accomplishment of such his designs, and for the protecting of himself and his adherents in his and their wicked practices, to the same end hath traitrously and maliciously levied war against the present Parliament, and people therein represented, as with the circumstances of time and place is in the said charge more particularly set forth; and that he hath thereby caused and procured many thousands of the free people of this nation to be slain; and by divisions, parties and insurrections within this land, by invasions from foreign parts, endeavored and procured by him, and by many other evil ways and means, he, the said Charles Stuart, hath not only maintained and carried on the said war both by sea and land, but also hath renewed, or caused to be renewed, the said war against the Parliament and good people of this nation in this present year [1649], in several counties and places in this kingdom in the charge specified; and that he hath for that purpose given his commission to his son the Prince, and others, whereby, besides multitudes of other persons, many such as were by the Parliament entrusted and employed for the safety of this nation, being by him or his agents corrupted to the betraying of their trust, and revolting from the Parliament, have had entertainment and commission for the continuing and renewing of the war and hostility against the said Parliament and people; and that by the said cruel and unnatural war so levied, continued and renewed, much innocent blood of the free people of this nation hath been spilt, many families undone, the public treasure wasted, trade obstructed and miserably decayed, vast expense and damage to the nation incurred, and many parts of the land spoiled, some of them even to desolation; and that he still continues his commission to his said son, and other rebels and revolters, both English and foreigners, and to the Earl of Ormond, and to the Irish rebels and revolters associated with him, from whom further invasions of this land are threatened by his procurement and on his behalf; and that all the said wicked designs, wars, and evil practices of him, the said Charles Stuart, were still carried on for the advancement and upholding of the personal interest of will, power, and pretended prerogative to himself and his family, against the public interest, common right, liberty, justice, and

peace of the people of this nation; and that he thereby hath been and is the occasioner, author and continuer of the said unnatural, cruel and bloody wars, and therein guilty of all the treasons, murders, rapines, burnings, spoils, desolations, damage and mischief to this nation, acted and committed in the said wars, or occasioned thereby; whereupon the proceedings and judgment of this Court were prayed against him, as a tyrant, traitor, and murderer, and public enemy to the Commonwealth, as by the said charge more fully appeareth. To which charge, being read unto him as aforesaid, he, the said Charles Stuart, was required to give his answer. But he refused to do so, and upon Monday, the 22nd of January instant, being again brought before this Court, and there required to answer directly to the said charge, he still refused to do so; whereupon his default and contumacy was entered; and the next day, being the third time brought before the Court, judgment was then prayed against him on the behalf of the people of England for his contumacy, and for the matters contained against him in the said charge, as taking the same for confessed, in regard of his refusing to answer thereto: yet notwithstanding this Court (not willing to take advantage of his contempt) did once more require him to answer to the said charge. But he again refused so to do. Upon which his several defaults, this Court might justly have proceeded to judgment against him, both for his contumacy and the matters of the charge, taking the same for confessed as aforesaid.

Yet nevertheless this Court, for its own clearer information and further satisfaction, have thought fit to examine witnesses upon oath, and take notice of other evidences, touching the matters contained in the said charges, which accordingly they have done.

Now, therefore, upon serious and mature deliberation of the premises, and consideration had of the notoriety of the matters of fact charged upon him as aforesaid, this Court is in judgment and conscience satisfied that he, the said Charles Stuart, is guilty of levying war against the said Parliament and people, and maintaining and continuing the same; for which in the said charge he stands accused, and by the general course of his government, counsels, and practices, before and since this Parliament began (which have been and are notorious and public, and the effects whereof remain abundantly upon record) this Court is fully satisfied in their judgments and consciences, that he has been

and is guilty of the wicked design and endeavors in the said charge set forth; and that the said war hath been levied, maintained, and continued by him as aforesaid, in prosecution, and for accomplishment of the said designs; and that he hath been and is the occasioner, author, and continuer of the said unnatural, cruel, and bloody wars, and therein guilty of high treason, and of the murders, rapines, burnings, spoils, desolation, damage, and mischief to this nation acted and committed in the said war, and occasioned thereby. For all which treasons and crimes this Court doth adjudge that he, the said Charles Stuart, as a tyrant, traitor, murderer, and public enemy to the good people of this nation, shall be put to death by the severing of his head from his body.

5. THE DEATH WARRANT OF CHARLES I

(29 January 1649)

Whereas Charles Stuart, King of England, is, and standeth convicted, attainted, and condemned of high treason, and other high crimes; and sentence upon Saturday last was pronounced against him by this Court, to be put to death by the severing of his head from his body; of which sentence, execution yet remaineth to be done; these are therefore to will and require you to see the said sentence executed in the open street before Whitehall, upon the morrow, being the thirtieth day of this instant month of January, between the hours of ten in the morning and five in the afternoon of the same day, with full effect. And for so doing this shall be your sufficient warrant. And these are to require all officers, soldiers, and others, the good people of this nation of England, to be assisting unto you in this service.

To Colonel Francis Hacker, Colonel Huncks, and Lieutenant-Colonel Phayre, and to every of them.

Given under our hands and seals.

John Bradshaw
Thomas Grey
Oliver Cromwell
&c. &c.

6. THE DEATH OF CHARLES I

Monday, January 29: His children were permitted to come to him, where passed this following discourse, as it was set down in writing by his daughter, the Lady Elizabeth (which Lady Elizabeth, some months after, being confined to Carisbroke Castle in the Isle of Wight, died there with grief for the sufferings of her dear father).

His children being come to meet him, he first gave his blessing to the Lady Elizabeth, and bid her to remember to tell her brother James, whenever she should see him, that it was his father's last desire that he should no more look upon Charles as his eldest brother only, but be obedient unto him as his sovereign; and that they should love one another, and forgive their father's enemies. Then said the King to her, "Sweetheart, you'll forget this." "No," said she, "I shall never forget it whilst I live"; and pouring forth abundance of tears, promised to write down the particulars.

Then the King taking the duke of Gloucester upon his knee, said, "Sweetheart, now they will cut off thy father's head," (upon which words the child looking very steadfastly upon him), "mark, child, what I say: they will cut off my head, and perhaps make thee a King. But mark what I say, you must not be a King, so long as your brothers, Charles and James do live; for they will cut off your brothers' heads (when they can catch them), and cut off thy head too at last. And therefore I charge you not be made a King by them." At which the child sighing, said, "I will be torn in pieces first." Which falling so unexpectedly from one so young, it made the King rejoice exceedingly.

Tuesday, January 30. The fatal day: He was about ten of the clock brought from his palace at St. James's to Whitehall, marched on foot (guarded with a regiment of foot soldiers) through the Park, with their colors flying, and drums beating, his private guard of partisans about him, Dr. Juxon, bishop of London, on one side, and Colonel Tomlinson on the other, both bare headed, bidding them go faster, saying, That now he went before them to strive for a heavenly crown with less solicitude than he had often times bid his soldiers to fight for an earthly diadem. Being come to the end of the Park, he ascends the stairs

leading to the long gallery in Whitehall, and so into the Cabinet Chamber, where he formerly used to lodge; there his Majesty, with the bishop of London, continued for some time in devotion, and received the blessed sacrament from the hand of the said bishop. At which time he read for the second lesson the 27th chapter of Saint Matthew's Gospel, which contained the history of the death and passion of our blessed Savior. The communion ended, his Majesty thanked the bishop for selecting so seasonable and comfortable a portion of scripture. The bishop modestly replied, No thanks were due to him, for it was the chapter appointed by the Rubric of the Church for the second morning lesson for that day, being January 30. Here the King continued at his devotion, refusing to dine; only about twelve of the clock he ate a bit of bread and drank a glass of claret. From thence, about one o'clock, he was accompanied by Dr. Juxon and Colonel Tomlinson, and other officers formerly appointed to attend him, and the private guard of partisans, with musketeers on each side, through the Banqueting House, adjoining to which the scaffold was erected, between Whitehall gate and the gate leading into the gallery from Saint James's. The scaffold was hung round with black, the floor covered with black baize, and the ax and block laid in the middle of the scaffold. There were divers companies of foot of Colonel Pride's regiment, and several troops of horse placed on the one side of the scaffold toward King Street, and on the other side toward Charing Cross, and the multitudes of people that came to be spectators very great. The King being come upon the scaffold, it was expected he would say something to the people, which he did.

But because we have no other relation of what his Majesty then spoke, save what was taken in short-hand on the scaffold by three several gentlemen who were very exquisite in that art; nor had his Majesty any copy (being surprised and hastened by those who attended him to the scaffold), save only a few heads in a little scrap of paper, which after his death the soldiers took from the bishop of London, to whom he gave it; therefore the reader must be content with this copy, which was by them upon joint comparing of the copies published, some few words being altered to make the sense perfect.

The King being come upon the scaffold, and looking about

him upon the people, who were kept off by the troops of horse, so that they could not come near to him, omitted what he had purposed to have spoken to them (as 'tis thought) and turning himself to the soldiers and officers (the instruments of the regicide) spoke to them to this effect:

The King being come upon the Scaffold, looked very earnestly upon the Block, and asked Colonel Hacker if there were no higher; and then spoke thus (directing his Speech chiefly to Colonel Tomlinson):

"I shall be very little heard of anybody here, I shall therefore speak a word unto you here: indeed I could hold my peace very well, if I did not think that holding my peace would make some men think that I did submit to the guilt as well as to the punishment; but I think it is my duty to God first, and to my country, for to clear myself both as an honest man, a good King, and a good Christian. I shall begin first with my innocency; in troth, I think it is not very needful for me to insist long upon this, for all the world knows that I never did begin a war with the two Houses of Parliament, and I call God to witness, to whom I must shortly make an account, that I never did intend to encroach upon their privileges, they began upon me; it is the militia they began upon—they confessed that the militia was mine, but they thought it fit to have it from me; and, to be short, if anybody will look to the dates of commissions, of their commissions and mine, and likewise to the declarations, he will clearly see that they began these unhappy troubles, not I. So that as to the guilt of these enormous crimes that are laid against me, I hope in God that God will clear me of it; I will not, I am in charity: God forbid that I should lay it upon the two Houses of Parliament, there is no necessity of either, I hope they are free of this guilt. For I do believe that ill instruments between them and me has been the chief cause of all this bloodshed; so that by way of speaking, as I find myself clear of this, I hope (and pray God) that they may too. Yet for all this, God forbid that I should be so ill a Christian as not to say that God's judgments are just upon me. Many times he does pay justice by an unjust sentence—that is ordinary. I will only say this: that unjust sentence that I suf-

ferred for to take effect* is punished now by an unjust sentence upon me. So far I have said, to show you that I am an innocent man.

"Now for to show you that I am a good Christian: I hope there is (pointing to Dr. Juxon) a good man that will bear me witness, that I have forgiven all the world, and even those in particular that have been the chief causers of my death. Who they are, God knows; I do not desire to know, I pray God forgive them. But this is not all, my charity must go further; I wish that they may repent, for indeed they have committed a great sin in that particular; I pray God, with St. Stephen, that this be not laid to their charge; nay, not only so, but that they may take the right way to the peace of the kingdom. For my charity commands me to endeavor to the last gasp the peace of the kingdom. . . .

"Now, Sirs, I must show you both how you are out of the way, and will put you in the way. First, you are out of the way. For certainly all the way you ever have had yet, as I could find by anything, is in the way of conquest; certainly this is an ill way. For conquest, Sirs, in my opinion is never just except there be a good just cause, either for matter of wrong, or just title, and then if you go beyond it the first quarrel that you have to do is it that makes it unjust at the end that was just at first. But if it be only matter of conquest, then it is a great robbery; as a pirate said to Alexander that *he* was the great robber . . . And so, Sir, I do think that the way you are in, is much out of the way. Now, Sir, for to put you in your own way, believe it, you will never do right, nor God will never prosper you, until you give God his due, the King his due (that is, my successors), and the people their due; I am as much for them as any of you. You must give God his due by regulating rightly his church (according to his scriptures), which is now out of order: for to set you in a way particularly now I cannot, but only this: a national synod freely called, freely debating among themselves, must settle this, when that every opinion is freely and clearly heard.

"For the King, indeed I will not—" (Then turning to a gentleman that touched the ax, said, "Hurt not the ax that may hurt me.") "For the King, the laws of the land will clearly in-

*The execution of the earl of Strafford in 1640.

struct you for that; therefore, because it concerns my own particular, I only give you a touch of it.

"For the people: and truly I desire their liberty and freedom as much as anybody whatsoever, but I must tell you that their liberty and freedom consists in having of government, those laws by which their life and their goods may be most their own. It is not for having share in government, Sirs; that is nothing pertaining to them. A subject and a sovereign are clear different things, and therefore until they do that, I mean, that you do put the people in that liberty, as I say, certainly they will never enjoy themselves.

"Sirs, it was for this that now I am come here. If I would have given way to an arbitrary way, for to have all laws changed according to the power of the sword, I needed not to have come here. And therefore I tell you (and I pray God it be not laid to your charge), that I am the martyr of the people.

"In troth, Sirs, I shall not hold you much longer, for I will only say this to you, that in truth I could have desired some little time longer, because I would have put this that I have said in a little more order, and a little better digested than I have done. And therefore I hope you will excuse me.

"I have delivered my conscience, I pray God that you do take those courses that are best for the good of the kingdom and your own salvations."

Dr. Juxon: "Will your Majesty (though it may be very well known, your Majesty's affections to religion, yet it may be expected that you should) say somewhat for the world's satisfaction?"

King: "I thank you heartily, my Lord, for that. I had almost forgotten it. In troth, Sirs, my conscience in religion, I think, is very well known to all the world, and therefore I declare before you all that I die a Christian according to the profession of the Church of England, as I found it left me by my father. And this honest man—(pointing to Dr. Juxon)—I think will witness it."

Then turning to the officers, said, "Sirs, excuse me for this same; I have a good cause and I have a gracious God; I will say no more."

Then turning to Colonel Hacker, he said, "Take care they do not put me to pain, and, Sir, this and it please you."

But then a gentleman coming near the ax, the King said, "Take heed of the ax, take heed of the ax."

Then the King speaking to the executioner, said, "I shall say but very short prayers, and when I thrust out my hands—."

Then the King called to Dr. Juxon for his nightcap, and having put it on, he said to the executioner, "Does my hair trouble you?" Who desired him to put it all under his cap, which the King did accordingly, by the help of the executioner and the bishop. Then the King turning to Dr. Juxon said, "I have a good cause, and a gracious God on my side."

Dr. Juxon: "There is but one stage more; this stage is turbulent and troublesome, [but] it is a short one. But you may consider it will soon carry you a very great way: it will carry you from earth to Heaven; and there you shall find a great deal of cordial joy and comfort."

King: "I can go from a corruptible to an incorruptible crown, where no disturbance can be, no disturbance in the world."

Dr. Juxon: "You are exchanged from a temporal to an eternal crown, a good exchange."

The King then said to the executioner, "Is my hair well?" Then the King took off his cloak and his George, giving his George to Dr. Juxon (it is thought for to give it to the Prince). Then the King put off his doublet, and being in his waistcoat, put his cloak on again; then looking upon the block, said to the executioner, "You must set it fast."

Executioner: "It is fast, Sir."

King: "When I put my hands out this way (stretching them out), then——"

After that, having said two or three words (as he stood) to himself, with hands and eyes lifted up, immediately stooping down, laid his neck upon the block. And then, the executioner again putting his hair under his cap, the King said (thinking he had been going to strike), "Stay for the sign."

Executioner: "Yes, I will, and it please your Majesty."

And after a very little pause, the King stretching forth his hands, the executioner at one blow severed his head from his body.

(Richard Burton), *The Wars in England, Scotland and Ireland.*

. . . (attributed to Nathaniel Crouch.)

IV

Oliver Cromwell

IN a very real sense the entire history of the English Civil Wars, the Commonwealth and Protectorate is the story of one man—Oliver Cromwell—writ large. Consequently any assessment of Cromwell's character, of his strengths and weaknesses, of his virtues and vices, must be based upon some judgment of the events in which he played such a central role. This is no less true today than it was when John Milton [2] and Clarendon[3] wrote their appraisals.

Nevertheless, we cannot ignore the fact that even Clarendon—Cromwell's ideological and personal enemy—found much to admire in the Lord Protector. Surely few men in history have possessed such striking gifts: military prowess, political skill, immense energy, profound conviction. But more than anything else, what uniquely characterized Oliver Cromwell was his combination of absolute assurance of the rightness of his own position and deep commitment to the principle of toleration; ruthless in battle and in dealing with his enemies, he was yet capable of the most intense sensitivity and sympathy toward others. It is surely this combination that has made him such an enigmatic figure. In his moving and eloquent letters every facet of his complex character finds full expression [4].

Oliver Cromwell was born in 1599 at Huntingdon, in the east of England. The son of Robert Cromwell, a gentleman farmer, he was distantly related to Thomas, the great minister of Henry VIII. After studying at the Huntingdon School, Oliver went up to Sidney Sussex College, Cambridge, but remained only a year; in 1617 the death of his father caused him to return to Huntingdon to take charge of the family's affairs. For the next ten years

he lived in decent obscurity in the country; in 1628 he was elected to represent Huntingdon in parliament and in 1640 he was elected again, this time from Cambridge. Although not yet a leader in the nation's affairs, he was active in the Long Parliament. He moved the second reading of the bill for annual parliaments (1640) and was instrumental in the passage of a motion appointing the Earl of Essex as commander of the parliamentary forces (1641). Presumably he voted for the Grand Remonstrance, for he once declared that if it had not been passed he would have sold all his possessions and left the country.

When war began, Cromwell was active in supporting the parliamentary cause in East Anglia; his Eastern Association, with headquarters at Cambridge, formed the backbone of the parliamentary army. In January 1644 he was appointed Lieutenant-General for the Eastern Association and a month later became a member of the Committee of Both Kingdoms, the English-Scottish body which managed the affairs of the king's opponents. In July of 1644 he was chiefly responsible for the parliamentary victory over Prince Rupert at Marston Moor; it was on this occasion that Rupert coined the name "Ironsides" for Cromwell's troops, which could not "be broken or divided." As the war proceeded, Cromwell's military skill and political talents brought him into a position of increasing prominence, although he was never supreme commander of the parliamentary forces during the war.

When the Commonwealth was established in 1649, Cromwell was a member of the Council of State, and when an army was sent to reconquer and pacify Ireland he was its commander. The severity of his repressive measures there makes this the darkest chapter in the story of his career. When Charles II landed in Scotland in 1650, Cromwell was recalled from Ireland and sent to deal with this new threat to the young Commonwealth. Once again, in his great victories at Dunbar and Worcester, he proved equal to the task. On September 12, 1651, he entered London in triumph. Parliament voted him an annual income of £4000 and gave him the royal palace of Hampton Court as a residence. He was now Captain-General of the army, member of the Council of State and member of parliament. When the Rump Parliament seemed on the verge of making its own power perpetual, Cromwell took affairs into his own hands and dismissed the

legislators in April of 1653. Shortly thereafter, he dispersed the Council of State, leaving all power and authority in his own hands. From this time forward the story of Cromwell's life is indistinguishable from the constitutional history of the Commonwealth and Protectorate.

1. THE PERSON OF CROMWELL— TWO DESCRIPTIONS

Sir Philip Warwick: I came one morning into the House well clad, and perceived a gentleman speaking (whom I knew not) very ordinarily apparelled; for it was a plain cloth suit, which seemed to have been made by an ill country tailor; his linen was plain, and not very clean; and I remember a speck or two of blood upon his little band, which was not much larger than his collar; his hat was without a hatband. His stature was of a good size, his sword stuck close to his side, his countenance swollen and reddish, his voice sharp and untunable, and his eloquence full of fervor; for the subject matter would not bear much of reason. . . . I sincerely profess it lessened much my reverence unto that great council, for he was very much hearkened unto. And yet I lived to see this very gentleman, whom out of no ill will to him I thus describe, by multiplied good successes and by real (but usurped) power (having had a better tailor, and more converse among good company) in my own eye, when for six weeks together I was a prisoner in his sergent's hands and daily waited at Whitehall, appear of a great and majestic deportment and comely presence.

Memoires of the reigne of King Charles I (1701)

John Maidston: His body was well compact and strong, his stature under 6 foot (I believe about 2 inches), his head so shaped as you might see it a storehouse and shop both of a vast treasury of natural parts. His temper exceeding fiery, as I have known, but the flame of it kept down for the most part, or soon allayed with those moral endowments he had. He was naturally compassionate towards objects in distress, even to an effeminate measure; though God had made him a heart wherein was left little room for any fear, but what was due to himself, of which there was a large proportion, yet did he exceed in tenderness

towards sufferers. A larger soul, I think, hath seldom dwelt in a house of clay. . . .

From a letter to John Winthrop, governor of the colony of Connecticut; 24 March 1659.

2. THE CHARACTER OF CROMWELL— A REPUBLICAN PANEGYRIC

Oliver Cromwell was sprung from a line of illustrious ancestors, who were distinguished for the civil functions which they sustained under the monarchy, and still more for the part which they took in restoring and establishing true religion in this country. In the vigor and maturity of his life, which he passed in retirement, he was conspicuous for nothing more than for the strictness of his religious habits, and the innocence of his life, and he had tacitly cherished in his breast that flame of piety which was afterwards to stand him in so much stead on the greatest occasions and in the most critical exigencies. In the last parliament which was called by the king, he was elected to represent his native town, when he soon became distinguished by the justness of his opinions and the vigor and decision of his councils.

When the sword was drawn, he offered his services, and was appointed to a troop of horse, whose numbers were soon increased by the pious and the good, who flocked from all quarters to his standard; and in a short time he almost surpassed the greatest generals in the magnitude and the rapidity of his achievements. Nor is this surprising; for he was a soldier disciplined to perfection in the knowledge of himself. He had either extinguished, or by habit had learned to subdue, the whole host of vain hopes, fears and passions which infest the soul. He first acquired the government of himself, and over himself acquired the most signal victories; so that on the first day he took the field against the external enemy he was a veteran in arms, consummately practised in the toils and exigencies of war.

It is not possible for me in the narrow limits in which I circumscribe myself on this occasion, to enumerate the many towns which he has taken, the many battles which he has won. The whole surface of the British empire has been the scene of his exploits, and the theatre of his triumphs; which alone would furnish ample materials for a history, and want a copiousness of

narration not inferior to the magnitude and diversity of the transactions. This alone seems to be a sufficient proof of his extraordinary and almost supernatural virtue, that by the vigor of his genius, or the excellence of his discipline, adapted not more to the necessities of war than to the precepts of Christianity, the good and brave were from all quarters attracted to his camp, not only as to the best school of military talents, but of piety and virtue; and that during the whole war, and the occasional intervals of peace, amid so many vicissitudes of faction and of events, he retained and still retains the obedience of his troops, not by largesses or indulgence, but by his sole authority and the regularity of his pay. In this instance his fame may rival that of Cyrus, of Epaminondas, or any of the great generals of antiquity. Hence he collected an army as numerous and as well equipped as any one ever did in so short a time; which was uniformly obedient to his orders, and dear to the affections of the citizens; which was formidable to the enemy in the field, but never cruel to those who laid down their arms; which committed no lawless ravages on the persons or the property of the inhabitants; who, when they compared their conduct with the turbulence, the intemperance, the impiety and the debauchery of the royalists, were wont to salute them as friends and to consider them as guests. They were a stay to the good, a terror to the evil, and the warmest advocates for every exertion of piety and virtue.

[Here Milton addresses himself directly to Cromwell.]

But there was another department of the war which was destined for your exclusive exertions. Without entering into any length of detail, I will, if possible, describe some of the most memorable actions, with as much brevity as you performed them with celerity. After the loss of all Ireland, with the exception of one city, you in one battle immediately discomfited the forces of the rebels: and were busily employed in settling the country, when you were suddenly recalled to the war in Scotland. Hence you proceeded with unwearied diligence against the Scots, who were on the point of making an irruption into England with the king in their train: and in about the space of one year you entirely subdued, and added to the English dominion, that kingdom which all our monarchs during a period of 800 years had in vain struggled to subject. In one battle you almost annihilated the remainder of their forces, who, in a fit of desperation, had

made a sudden incursion into England, then almost destitute of garrisons, and got as far as Worcester; where you came up with them by forced marches, and captured almost the whole of their nobility.

A profound peace ensued; when we found, though indeed not then for the first time, that you was as wise in the cabinet as valiant in the field. It was your constant endeavor in the senate either to induce them to adhere to those treaties which they had entered into with the enemy, or speedily to adjust others which promised to be beneficial to the country. But when you saw that the business was artfully procrastinated, that every one was more intent on his own selfish interest than on the public good, that the people complained of the disappointments which they had experienced, and the fallacious promises by which they had been gulled, that they were the dupes of a few overbearing individuals, you put an end to their domination. A new parliament is summoned; and the right of election given to those to whom it was expedient. They meet; but do nothing; and, after having wearied themselves by their mutual dissensions, and fully exposed their incapacity to the observation of the country, they consent to a voluntary dissolution.

In this state of desolation to which we were reduced, you, O Cromwell! alone remained to conduct the government and to save the country. We all willingly yield the palm of sovereignty to your unrivalled ability and virtue, except the few among us who, either ambitious of honors which they have not the capacity to sustain, or who envy those which are conferred on one more worthy than themselves, or else who do not know that nothing in the world is more pleasing to God, more agreeable to reason, more politically just, or more generally useful, than that the supreme power should be vested in the best and the wisest of men. Such, O Cromwell, all acknowledge you to be; such are the services which you have rendered as the leader of our councils, the general of our armies, and the father of your country. For this is the tender appellation by which all the good among us salute you from the very soul. Other names you neither have nor could endure; and you deservedly reject that pomp of title which attracts the gaze and admiration of the multitude. For what is a title but a certain definite mode of dignity; but actions such as yours surpass not only the bounds of our admiration, but our

titles; and, like the points of pyramids, which are lost in the clouds, they soar above the possibilities of titular commendation. But since, though it be not fit, it may be expedient, that the highest pitch of virtue should be circumscribed within the bounds of some human appellation, you endured to receive, for the public good, a title most like to that of the father of your country; not to exalt, but rather to bring you nearer to the level of ordinary men; the title of king was unworthy the transcendent majesty of your character. For if you had been captivated by a name over which, as a private man, you had so completely triumphed and crumbled into dust, you would have been doing the same thing as if, after having subdued some idolatrous nation by the help of the true God, you should afterwards fall down and worship the gods which you had vanquished.

Do you then, sir, continue your course with the same unrivalled magnanimity; it sits well upon you;—to you our country owes its liberties; nor can you sustain a character at once more momentous and more august than that of the author, the guardian and the preserver of our liberties; and hence you have not only eclipsed the achievements of all our kings, but even those which have been fabled of our heroes. Often reflect what a dear pledge the beloved land of your nativity has entrusted to your care; and that liberty which she once expected only from the chosen flower of her talents and her virtues, she now expects from you only, and by you only hopes to obtain. Revere the fond expectations which we cherish, the solitudes of your anxious country; revere the looks and the wounds of your brave companions in arms, who, under your banners, have so strenuously fought for liberty; revere the shades of those who perished in the contest; revere also the opinions and the hopes which foreign states entertain concerning us, who promise to themselves so many advantages from that liberty which we have so bravely acquired, from the establishment of that new government which has begun to shed its splendor on the world, which, if it be suffered to vanish like a dream, would involve us in the deepest abyss of shame; and lastly, revere yourself; and, after having endured so many sufferings and encountered so many perils for the sake of liberty, do not suffer it, now it is obtained, either to be violated by yourself, or in any one instance impaired by others. You cannot be truly free unless we are free too; for such is

the nature of things, that he who entrenches on the liberty of others is the first to lose his own and become a slave.

But if you, who have hitherto been the patron and tutelary genius of liberty, if you, who are exceeded by no one in justice, in piety and goodness, should hereafter invade that liberty which you have defended, your conduct must be fatally operative, not only against the cause of liberty, but the general interests of piety and virtue. Your integrity and virtue will appear to have evaporated, your faith in religion to have been small; your character with posterity will dwindle into insignificance, by which a most destructive blow will be levelled against the happiness of mankind.

The work which you have undertaken is of incalculable moment, which will thoroughly sift and expose every principle and sensation of your heart, which will fully display the vigor and genius of your character, which will evince whether you really possess those great qualities of piety, fidelity, justice and self-denial which made us believe that you were elevated by the special direction of the Deity to the highest pinnacle of power. At once wisely and discreetly to hold the sceptre over three powerful nations, to persuade people to relinquish inveterate and corrupt for new and more beneficial maxims and institutions, to penetrate into the remotest parts of the country, to have the mind present and operative in every quarter, to watch against surprise, to provide against danger, to reject the blandishments of pleasure and pomp of power—these are exertions compared with which the labor of war is mere pastime; which will require every energy and employ every faculty that you possess; which demand a man supported from above and almost instructed by immediate inspiration.

John Milton, *Second Defense of the People of England* (1654)

3. THE CHARACTER OF CROMWELL— A ROYALIST APPRAISAL

He was one of those men *quos vituperare ne imici quidem possunt, nisi ut simul laudent* (whom his very enemies could not condemn without commending him at the same time), for he could never have done half that mischief without great parts of courage, industry and judgment. He must have had a wonderful

understanding in the natures and humors of men, and as great a dexterity in applying them, who, from a private and obscure birth (though of a good family) without interest or estate, alliance or friendship, could raise himself to such a height and compound and knead such opposite and contradictory tempers, humors and interests into a consistence that contributed to his designs and to their own destruction; whilst himself grew insensibly powerful enough to cut off those by whom he had climbed, in the instant that they projected to demolish their own building. What was said of Cinna may very justly be said of him: *ausum eum, quae nemo auderet bonus; perfecisse, quae a nullo, nisi fortissimo perfici possunt* (he attempted those things which no good man durst have ventured on, and achieved those in which none but a valiant and great man could have succeeded). Without doubt, no man with more wickedness ever attempted any thing, or brought to pass what he desired more wickedly, more in the face and contempt of religion and moral honesty; yet wickedness as great as his could never have accomplished those designs without the assistance of a great spirit, an admirable circumspection and sagacity, and a most magnanimous resolution.

When he first appeared in the Parliament he seemed to have a person in no degree gracious, no ornament of discourse, none of those talents which men use to conciliate the affections of the stander-by: yet as he grew into place and authority, his parts seemed to be raised, as if he had concealed faculties till he had occasion to use them; and when he was to act the part of a great man, he did it without any indecency, notwithstanding the want of custom.

After he was confirmed and invested Protector by the Humble Petition and Advice he consulted with very few upon any action of importance, nor communicated any enterprise he resolved upon with more than those who were to have principal parts in the execution of it; nor with them sooner than absolutely necessary. What he once resolved, in which he was not rash, he would not be dissuaded from, nor endure any contradiction of his power and authority; but extorted obedience from them who were not willing to yield it.

One time, when he had laid some very extraordinary tax upon the City, one Cony, an eminent fanatic and one who had here-

tofore served him very notably, positively refused to pay his part and loudly dissuaded others from submitting to it, as an imposition notoriously against the law and the property of the subject, which all honest men were bound to defend. Cromwell sent for him and cajoled him with the memory of the old kindness and friendship that had been between them, and said that of all men he did not expect this opposition from him, in a matter that was so necessary for the good of the Commonwealth. It had always been his fortune to meet with the most rude and obstinate behavior from those who had formerly been absolutely governed by him; and they commonly put him in mind of some expressions and sayings of his own in cases of the like nature. So this man reminded him how great an enemy he had expressed himself to such grievances, and that he had declared that all who submitted to them and paid illegal taxes were more to blame, and greater enemies to their country, than they who had imposed them; and that the tyranny of princes could never be grievous but by the tameness and stupidity of the people. When Cromwell saw that he could not convert him, he told him that he had a will as stubborn as his, and he would try which of them two should be master. Thereupon, with some expressions of reproach and contempt, he committed the man to prison; whose courage was nothing abated by it, but as soon as the Term came he brought his habeas corpus in the King's Bench, which they then called the *Upper Bench*. Maynard, who was of council with the prisoner, demanded his liberty with great confidence, both upon the illegality of the commitment and the illegality of the imposition, as being laid without any lawful authority. The judges could not maintain or defend either, and enough declared what their sentence would be; and therefore the Protector's Attorney required a farther day to answer what had been urged. Before that day, Maynard was committed to the Tower for presuming to question or make doubt of his authority; and the judges were sent for and severely reprehended for suffering that license. When they, with all humility, mentioned the law and Magna Charta, Cromwell told them with terms of contempt and derision, "their Magna F—— should not control his actions, which he knew were for the safety of the Commonwealth." He asked them who made them judges, whether they had any au-

thority to sit there but what he gave them, and if his authority were at an end they knew well enough what would become of themselves; and therefore advised them to be more tender of that which alone could preserve them; and so dismissed them with the caution that they should not suffer the lawyers to prate what it would not become them to hear.

Thus he subdued a spirit that had been often troublesome to the most sovereign power, and made Westminster Hall as obedient and subservient to his commands as any of the rest of his quarters. In all other matters which did not concern the life of his jurisdiction he seemed to have great reverence for the law, rarely interposing between party and party. As he proceeded with this kind of indignation and haughtiness with those who were refractory and durst contend with his greatness, so towards all who complied with his good pleasure and courted his protection he used great civility, generosity and bounty. . . .

To conclude his character, Cromwell was not so far a man of blood as to follow Machiavelli's method, which prescribes upon a total alteration of government, as a thing absolutely necessary, to cut off all the heads of those, and extirpate their families, who are friends to the old one. It was confidently reported that in the Council of Officers it was more than once proposed that there might be a general massacre of all the royal party, as the only expedient to secure the government, but that Cromwell would never consent to it; it may be, out of too much contempt of his enemies. In a word, as he was guilty of many crimes against which damnation is denounced and for which hell-fire is prepared, so he had some good qualities which have caused the memory of some men in all ages to be celebrated; and he will be looked upon by posterity as a brave wicked man.

Clarendon, *History* (vol. iii)

4. CROMWELL'S LETTERS

AN APPEAL FOR CHARITY

St. Ives, 11 January, 1636

Mr. Storie,

Among the catalogue of those good works which your fellow-citizens and our countrymen have done, this will not be reckoned

for the least—that they have provided for the feeding of souls. Building of hospitals provides for men's bodies, to build material temples is judged a work of piety; but they that procure spiritual food, they that build up spiritual temples, they are the men truly charitable, truly pious. Such a work as this was your erecting a lecture in our country, in which you placed Dr. Welles, a man for goodness and industry and ability to do good every way not short of any I know in England. And I am persuaded that since his coming the Lord hath by him wrought much good amongst us.

It only remains now that He who first moved you to this, put you forward to the continuance thereof: it was the Lord, and therefore to Him lift we up our hearts that He would perfect it. And surely, Mr. Storie, it were a piteous thing to see a lecture fall, in the hands of so many able and godly men as I am persuaded the founders of this are, in these times wherein we see they are suppressed with too much haste and violence by the enemies of God His truth. Far be it that so much guilt should stick to your hands, who live in a city so renowned for the clear shining light of the gospel. You know, Mr. Storie, to withhold the pay is to let fall the lecture: for who goeth to warfare at his own cost? I beseech you therefore in the bowels of Christ Jesus, put it forward and let the good man have his pay. The souls of God His children will bless you for it: and so shall I; and ever rest,

Your loving friend in the Lord,
Oliver Cromwell.

RAISING THE PARLIAMENTARY FORCES

To my honored Friends the Commissioners at Cambridge:

Huntingdon, 6th August 1643

Gentlemen:

You see by this enclosed note how sadly your affairs stand. It's no longer disputing, but out instantly all you can. Raise all your bands; send them to Huntingdon; get up what volunteers you can; hasten your horses.

Send these letters to Suffolk, Norfolk and Essex without delay.

I beseech you spare not, but be expeditious and industrious. Almost all our Foot have quitted Stamford; there is nothing to interrupt an enemy, but our Horse, that is considerable. You must act lively; do it without distraction. Neglect no means. I am

Your faithful servant,
Oliver Cromwell.

To my noble Friends, Sir William Springe, Knight and Baronet, and Maurice Barrow, Esq.:

Cambridge, September 1643

Gentlemen:

I have been now two days at Cambridge, in expectation to hear the fruit of your endeavors in Suffolk towards the public assistance. Believe it, you will hear of a storm in a few days. You have no infantry at all considerable; hasten your horses; a few hours may undo you, neglected. I beseech you be careful what captains of Horse you choose, what men be mounted. A few honest men are better than numbers. Some time they must have for exercise. If you choose godly honest men to be captains of Horse, honest men will follow them; and they will be careful to mount such.

The King is exceeding strong in the West. If you be able to foil a force at the first coming of it, you will have reputation; and that is of great advantage in our affairs. God hath given it to our handful; let us endeavor to keep it. I had rather have a plain russet-coated captain that knows what he fights for, and loves what he knows, than that which you call a gentleman and is nothing else. I honor a gentleman that is so indeed.

I understand Mr. Margery hath honest men will follow him; it much concerns your good to have conscientious men. I understand that there is an order for me to have £3000 out of the Association; and Essex hath sent their part or near it. I assure you we need exceedingly. I hope to find your favor and respect. I protest, if it were for myself, I would not move you. This is all, from

Your faithful servant,
Oliver Cromwell.

"TAKE HEED OF BEING SHARP . . ."

To Major-General Crawford:

Cambridge, 10th March, 1644

Sir,

The complaints you preferred to my Lord against your Lieutenant-Colonel, both by Mr. Lee and your own letters, have occasioned his stay here. My Lord being so employed, in regard of many occasions which are upon him, that he hath not been at leisure to hear him make his defense: which, in pure justice, ought to be granted him or any man before a judgment be passed upon him.

During his abode here and absence from you, he hath acquainted me what a grief it is to him to be absent from his charge, especially now the regiment is called forth to action. And therefore, asking of me my opinion, I advised him speedily to repair unto you, and thought good by him thus to write unto you. Surely you are not well advised thus to turn off one so faithful to the Cause, and so able to serve you as this man is. Give me leave to tell you, I cannot be of your judgment; that if a man notorious for wickedness, for oaths, for drinking, hath as great a share in your affection as one that fears an oath, that fears to sin, that this doth commend your election of men to serve as fit instruments in this work.

Ay, but the man is an Anabaptist. Are you sure of that? Admit he be, shall that render him incapable to serve the public? He is indiscreet. It may be so, in some things we have all human infirmities. I tell you, if you had none but such indiscreet men about you, and would be pleased to use them kindly, you would find as good a fence to you as any you have yet chosen.

Sir, the State, in choosing men to serve them, takes no notice of their opinions; if they be willing faithfully to serve them, that satisfies. I advised you formerly to bear with men of different minds from yourself: if you had done it when I advised you to it, I think you would not have had so many stumbling-blocks in your way. It may be you judge otherwise, but I tell you my mind. I desire you would receive this man into your favor and good opinion. I believe, if he follow my counsel, he will deserve no other but respect from you. Take heed of being sharp, or too

easily sharpened by others, against those to whom you can object little but that they square not with you in every opinion concerning matters of religion. If there be any other offense to be charged upon him, that must in a judicial way receive a determination; I know you will not think it fit my Lord should discharge an officer of the Field but in a regulate way. I question whether either you or I have any precedent for that.

I have not further to trouble you, but rest,

Your humble servant,
Oliver Cromwell.

A LETTER OF CONDOLENCE

To my loving Brother, Colonel Valentine Walton:

Leaguer before York
5th July, 1644

Dear Sir:

It's our duty to sympathize in all mercies; that we may praise the Lord together in chastisements or trials, that so we may sorrow together.

Truly England and the Church of God hath had a great favor from the Lord in this great victory given unto us, such as the like never was since this war began. It had all the evidences of an absolute victory obtained by the Lord's blessing upon the godly party principally. We never charged but we routed the enemy. The left wing, which I commanded, being our own horse, saving a few Scots in our rear, beat all the Prince's horse. God made them as stubble to our swords, we charged their regiments of foot with our horse, routed all we charged. The particulars I cannot relate now; but I believe, of twenty thousand the Prince hath not four thousand left. Give glory, all the glory, to God.

Sir, God hath taken away your eldest son by a cannon-shot. It brake his leg. We were necessitated to have it cut off, whereof he died.

Sir, you know my trials this way:* but the Lord supported me with this, That the Lord took him into the happiness we all pant

*Cromwell's son, Oliver, had died in the spring of 1644.

after and live for. There is your precious child full of glory, to know sin nor sorrow any more. He was a gallant young man, exceeding gracious. God give you His comfort. Before his death he was so full of comfort that to Frank Russell and myself he could not express it, it was so great above his pain. This he said to us. Indeed it was admirable. A little after, he said one thing lay upon his spirit. I asked him what that was. He told me that it was that God had not suffered him to be no more the executioner of His enemies. At his fall, his horse being killed with a bullet, and as I am informed three horses more, I am told he bid them open to the right and left, that he might see the rogues run. Truly, he was exceedingly beloved in the Army, of all that knew him. But few knew him, for he was a precious young man, fit for God. You have cause to bless the Lord. He is a glorious saint in Heaven, wherein you ought exceedingly to rejoice. Let this drink up your sorrow; seeing these are not feigned words to comfort you, but the thing is so real and undoubted a truth. You may do all things by the strength of Christ. Seek that, and you shall easily bear your trial. Let this public mercy to the Church of God make you to forget your private sorrow. The Lord be your strength: so prays

Your truly faithful and loving brother,
Oliver Cromwell.

THE BATTLES OF LANGPORT AND NASEBY

Langport, July 1645

Dear Sir,

I have now a double advantage upon you, through the goodness of God, who still appears with us. And as for us, we have seen great things in this last mercy: it is not inferior to any we have had; as followeth.

We were advanced to Long-Sutton, near a very strong place of the enemy's called Langport; far from our own garrisons, without much ammunition, in a place extremely wanting in provisions, the malignant Club-men interposing, who are ready to take all advantages against our parties, and would undoubtedly take them against our Army if they had opportunity. Goring stood upon the advantage of strong passes, staying until the rest of his recruits came up to his Army, with a resolution not to

engage until Greenvil and Prince Charles's men were come up to him. We could not well have necessitated him to an engagement, nor have stayed one day longer without retreating to our ammunition and to conveniency of victual.

In the morning word was brought us that the enemy drew out. He did so with a resolution to send most of his cannon and baggage to Bridgewater, which he effected; but with a resolution not to fight, but, trusting to his ground, thinking he could march away at pleasure.

The pass was straight between him and us; he brought two cannons to secure his, and laid his musketeers strongly in the hedges. We beat off his cannon, fell down upon his musketeers, beat them off from their strength and, where our Horse could scarcely pass two abreast, I commanded Major Bethel to charge them with two troops of about 120 Horse, which he performed with the greatest gallantry imaginable; beat back two bodies of the enemy's Horse, being Goring's own brigade; brake them at sword's-point. The enemy charged him with near 400 fresh Horse. He set them all going until, oppressed with multitudes, he brake through them, with the loss not of above three or four men. Major Desborow seconded him with some other of those troops, which were about three. Bethel faced about, and they both routed at sword's-point a great body of the enemy's Horse, which gave such an unexpected terror to the enemy's Army that it set them all a-running. Our Foot in the mean time coming on bravely, and beating the enemy from their strength, we presently had the chase to Langport and Bridgewater. We took and killed about 2,000; brake all his Foot. We have taken very many horses and considerable prisoners. What were slain we know not. We have the Lieutenant General of the Ordnance; Colonel Preston, Colonel Heveningham, Colonel Slingsby, we know of, besides very many other officers of quality. All Major-General Massie's party was with him, seven or eight miles from us, and about 1200 of our Foot, and three regiments of our Horse. So that we had but seven regiments with us.

Thus you can see what the Lord hath wrought for us. Can any creature ascribe anything to itself? Now can we give all the glory to God, and desire all may do so, for it is all due unto Him! Thus you have Long-Sutton mercy added to Naseby mercy. And to see this, is it not to see the face of God? You have heard of

Naseby: it was a happy victory. As in this, so in that, God was pleased to use His servants. And if men will be malicious, and swell with envy, we know Who hath said "If they will not see, yet they shall see," and be ashamed for their envy at His people. I can say this of Naseby: that when I saw the enemy draw up and march in gallant order towards us, and we a company of poor ignorant men, to seek how to order our battle (the General having commanded me to order all the Horse), I could not (riding alone about my business) but smile out to God in praises, in assurance of victory, because God would, by things that are not, bring to naught things that are. Of which I had great assurance. And God did it. O that men would therefore praise the Lord, and declare the wonders that He doth for the children of men!

I cannot write more particulars now. I am going to the rendezvous of all our Horse, three miles from Bridgewater; we march that way. It is a seasonable mercy. I cannot better tell you than write: That God will go on. We have taken two guns, three carriages of ammunition. In the chase the enemy quitted Langport; when they ran out at one end of the town, we entered the other. They fired that at which we should chase, which hindered our pursuit; but we overtook many of them. I believe we got near 1500 Horse.

Sir, I beg your prayers. Believe, and you shall be established. I rest,

Your servant,
Oliver Cromwell.

ADVICE TO HIS DAUGHTER

For my beloved daughter Bridget Ireton

London, 25th October, 1646

Dear Daughter,

I write not to thy husband—partly to avoid trouble, for one line of mine begets many of his, which I suppose makes him sit up too late; partly because I am myself indisposed at this time, having some other considerations.

Your friends at Ely are well: your sister Claypole is (I trust in mercy) exercised with some perplexed thoughts. She sees her own vanity and carnal mind, bemoaning it. She seeks after (as I

hope also) that which will satisfy. And thus to be a seeker is to be of the best sect next to a finder; and such an one shall every faithful humble seeker be at the end. Happy seeker, happy finder! Who ever tasted that the Lord is gracious, without some sense of self, vanity and badness? Who ever tasted that graciousness of His, and could go less in desire and less than pressing after full enjoyment? Dear Heart, press on; let not husband, let not anything cool thy affections after Christ. I hope he will be an occasion to inflame them. That which is best worthy of love in thy husband is that of the image of Christ he bears. Look on that, and love it best, and all the rest for that. I pray for thee and him; do so for me.

My service and dear affections to the General and Generaless.* I hear she is very kind to thee; it adds to all other obligations. My love to all.

I am,
Thy dear Father,
Oliver Cromwell.

*Sir Thomas and Lady Fairfax.

THE MASSACRE AT DROGHEDA

For the Honorable William Lenthall, Speaker of the Parliament of England

Dublin, 17th September, 1649

Sir:

Your Army being safely arrived at Dublin, and the enemy endeavoring to draw all his forces together about Trim and Tecroghan, as my intelligence gave me—from whence endeavors were made by the Marquis of Ormond to draw Owen Roe O'Neil with his forces to his assistance, but with what success I cannot yet learn—I resolved, after some refreshment taken for our weatherbeaten men and horses, and accommodations for a march, to take the field. And accordingly, upon Friday the 31st of August* last, we rendezvoused with eight regiments of foot, six of horse and some troops of dragoons, three miles on the north side of Dublin. The design was to endeavor the regaining of

* In the original, Cromwell's dates are incorrect; they have been corrected here.

Drogheda, or tempting the enemy upon his hazard of the loss of that place to fight.

Your Army came before the Town upon Monday following. Where having pitched, as speedy course was taken as could be to frame our batteries; which took up the more time because divers of the battering guns were on shipboard. Upon Monday, the 10th of this month, the batteries began to play. Whereupon I sent Sir Arthur Ashton, the then Governor, a summons to deliver the Town to the use of the Parliament of England. To the which receiving no satisfactory answer, I proceed that day to beat down the steeple of the Church on the south side of the Town, and to beat down a tower not far from the same place, which you will discern by the chart enclosed.

Our guns not being able to do much that day, it was resolved to endeavor to do our utmost the next day to make breaches assaultable, and by the help of God to storm them. The place pitched upon was that part of the town-wall next a church called St. Mary's; which was the rather chosen because we did hope that if we did enter and possess that church, we should be the better able to keep it against their horse and foot until we could make way for the entrance of our horse; and we did not conceive that any part of the Town would afford the like advantage for that purpose with this. The batteries planted were two: one was for that part of the wall against the east end of the said church, the other against the wall on the south side. Being somewhat long in battering, the enemy made six retrenchments: three of them from the said church to Duleek Gate, and three of them from the east end of the church to the town-wall and so backward. The guns, after some two or three hundred shot, beat down the corner tower and opened two reasonable good breaches in the east and south wall.

Upon Tuesday, the 11th of this month, about five o'clock in the evening, we began the storm; and after some hot dispute we entered, about seven or eight hundred men, the enemy disputing it very stiffly with us. And indeed, through the advantages of the place and the courage God was pleased to give the defenders, our men were forced to retreat quite out of the breach, not without some considerable loss—Colonel Cassel being there shot in the head, whereof he presently died, and divers officers and soldiers doing their duty killed and wounded. There was a

tenalia* to flanker the south wall of the Town, between Duleek Gate and the corner tower before mentioned—which our men entered, wherein they found some forty or fifty of the enemy, which they put to the sword. And this tenalia they held; but it being without the wall, and the sally-port through the wall into it being choked up with some of the enemy which were killed in it, it proved of no use for an entrance into the Town that way.

Although our men that stormed the breaches were forced to recoil, as is before expressed, yet, being encouraged to recover their loss, they made a second attempt; wherein God was pleased so to animate them that they got ground of the enemy, and by the goodness of God forced him to quit his entrenchments. And after a very hot dispute, the enemy having both horse and foot, and we only foot, within the wall, they gave ground and our men became masters both of their retrenchments and of the church. Which indeed, although they made our entrance the more difficult, yet they proved of excellent use to us, so that the enemy could not now annoy us with their horses, but thereby we had advantage to make good the ground that so we might let in our own horse. Which accordingly was done, though with much difficulty.

Divers of the enemy retreated into the Mill-Mount, a place very strong and of difficult access, being exceedingly high, having a good graft, and strongly pallisadoed. The Governor, Sir Arthur Ashton, and divers considerable officers being there, our men getting up to them were ordered by me to put them all to the sword. And indeed, being in the heat of action, I forbade them to spare any that were in arms in the Town. And, I think, that night they put to the sword about 2000 men—divers of the officers and soldiers being fled over the bridge into the other part of the Town, where about 100 of them possessed St. Peter's Church-steeple, some the west gate, and others a strong round tower next the gate called St. Sunday's. These, being summoned to yield to mercy, refused. Whereupon I ordered the steeple of St. Peter's Church to be fired, when one of them was heard to say in the midst of the flames: "God damn me, God confound me; I burn, I burn."

The next day the other two towers were summoned, in one

*Tenalia (Tenaille): a small low fortification, consisting of one or two reentering angles, placed before the curtain-wall between two bastions.

of which was about six or seven score; but they refused to yield themselves; and we knowing that hunger must compel them, set only good guards to secure them from running away until their stomachs were come down. From one of the said towers, notwithstanding their condition, they killed and wounded some of our men. When they submitted, their officers were knocked on the head, and every tenth man of the soldiers killed; and the rest shipped for the Barbadoes. The soldiers in the other tower were all spared, as to their lives only, and shipped likewise for the Barbadoes.

I am persuaded that this is a righteous judgment of God upon these barbarous wretches, who have imbrued their hands in so much innocent blood, and that it will tend to prevent the effusion of blood for the future. Which are the satisfactory grounds to such actions, which otherwise cannot but work remorse and regret. The officers and soldiers of this garrison were the flower of their army. . . .

Since this great mercy vouchsafed to us, I sent a party of horse and dragoons to Dundalk, which the enemy quitted and we are possessed of—as also of another castle they deserted, between Trim and Drogheda, upon the Boyne. I sent a party of horse and dragoons to a house within five miles of Trim, there being then in Trim some Scots companies which the Lord of Ardes brought to assist the Lord of Ormond. But upon the news of Drogheda they ran away, leaving their great guns behind them, which also we have possessed.

And now give me leave to say how it comes to pass that this work is wrought. It was set upon some of our hearts, That a great thing should be done, not by power or might, but by the Spirit of God. And is it not so, clearly? That which caused your men to storm so courageously, it was the Spirit of God, who gave your men courage and took it away again; and gave the enemy courage and took it away again; and gave your men courage again, and therewith this happy success. And therefore it is good that God alone have all the glory.

It is remarkable that these people at the first set up the Mass in some places of the Town that had been monasteries, but afterwards grew so insolent that the last Lord's Day before the storm the Protestants were thrust out of the great church called St. Peter's and they had Mass there: and in this very place near

1000 of them were put to the sword, fleeing thither for safety. I believe all their friars were knocked on the head promiscuously but two: the one of which was Father Peter Taaff, brother to Lord Taaff, whom the soldiers took the next day and made an end of. The other was taken in the Round Tower, under the repute of a lieutenant, and when he understood that the officers in that tower had no quarter, he confessed he was a friar; but that did not save him.

A great deal of loss in this business fell upon Colonel Hewson's, Colonel Cassel's and Colonel Ewer's regiments. Colonel Ewer having two field-officers in his regiment shot; Colonel Cassel and a captain of his regiment slain; Colonel Hewson's captain-lieutenant slain. I do not think we lost 100 men upon the place, though many be wounded. . . .

We keep the field much, our tents sheltering us from the wet and cold. But yet the country-sickness overtakes many, and therefore we desire recruits, and some fresh regiments of foot, may be sent us. For it's easily conceived by what the garrisons already drink up, what our field-army will come to if God shall give more garrisons into our hands. Craving pardon for this great trouble, I rest,

Your most obedient servant,
Oliver Cromwell

CASTIGATION OF THE SCOTS

To the General Assembly of the Kirk of Scotland; or, in case of their not sitting, To the Commissioners of the Kirk of Scotland:

Musselburgh, 3rd August, 1650

Sirs,

Your *Answer to the Declaration of the Army* we have seen. Some godly ministers with us did, at Berwick, compose this *Reply*;* which I thought fit to send you.

That you or we, in these great transactions, answer the will and mind of God, it is only from His grace and mercy to us. And therefore, having said as we do in our papers, we commit the issue thereof to Him who disposeth all things, assuring you that we have light and comfort increasing upon us day by day, and are persuaded that, before it be long, the Lord will manifest

*Enclosed with this letter.

His good pleasure, so that all shall see Him, and His people shall say, "This is the Lord's work, and it is marvellous in our eyes; this is the day that the Lord hath made; we will be glad and rejoice therein."

Only give me leave to say, in a word: You take upon you to judge us in the things of our God, though you know us not; though in the things we have said unto you, in that which is entitled the Army's Declaration, we have spoken our hearts as in the sight of the Lord who hath tried us. And by your hard and subtle words you have begotten prejudice in those who do too much (in matters of conscience, wherein every soul is to answer for itself to God) depend upon you. So that some have already followed you, to the breathing out of their souls; others continue still in the way wherein they are led by you (we fear) to their own ruin.

And no marvel if you thus deal with us, when indeed you can find in your hearts to conceal the papers we have sent you from your own people, who might see and understand the bowels of our affections to them, especially such among them as fear the Lord. Send as many of your papers as you please among our people; they have a free passage. I fear them not. What is of God in them, would it might be embraced and received. One of them lately sent, directed *To the Under-Officers and Soldiers in the English Army*, hath begotten from them this enclosed answer, which they desired me to send you—not a crafty politic one, but a plain simple spiritual one such as it is, God knoweth, and God will in due time make manifest.

And do we multiply these things as men, or do we them for the Lord Christ and His people's sake? Indeed we are not, through the grace of God, afraid of your numbers, nor confident in ourselves. We could (I pray God you do not think we boast) meet your army, or what you have to bring against us. We have given (humbly we speak it before our God, in whom all our hope is) some proof that thoughts of that kind prevail not upon us. The Lord hath not hid His face from us since our approach so near unto you.

Your guilt is too much for you to bear: bring not therefore upon yourselves the blood of innocent men, deceived with pretenses of King and Covenant, from whose eyes you hide a better knowledge. I am persuaded that divers of you who lead the peo-

ple have labored to build yourselves in these things wherein you have censured others, and established yourselves upon the Word of God. Is it therefore infallibly agreeable to the Word of God, all that you say? I beseech you, in the bowels of Christ, think it possible you may be mistaken. Precept may be upon precept, line may be upon line, and yet the Word of the Lord may be to some a Word of judgment, that they may fall backward and be broken and be snared and be taken. There may be a spiritual fulness, which the world may call drunkenness; as in the second chapter of the Acts. There may be, as well, a carnal confidence, which may be called spiritual drunkenness. There may be a Covenant made with death and Hell. I will not say yours was so. But judge if such things have a politic aim: to avoid the overflowing scourge, or to accomplish worldly interests. And if therein we have confederated with wicked and carnal men, and have respect for them, or otherwise have drawn them in to associate with us—whether this be a Covenant of God and spiritual, bethink yourselves; we hope we do.

I pray you read the twenty-eighth of Isaiah, from the fifth to the fifteenth. And do not scorn to know that it is the Spirit that quickens and giveth life.

The Lord give you and us understanding to do that which is well-pleasing in His sight. Committing you to the grace of God, I rest,

Your humble servant,
Oliver Cromwell.

TO HIS WIFE

For my beloved wife Elizabeth Cromwell:

Dunbar, 4th September, 1650

My Dearest:

I have not leisure to write much. But I could chide thee that in many of thy letters thou writest to me that I should not be unmindful of thee and thy little ones. Truly, if I love you not too well, I think I err not on the other hand much. Thou art dearer to me than any creature; let that suffice.

The Lord hath showed us an exceeding mercy: who can tell how great it is. My weak faith hath been upheld. I have been in my inward man marvellously supported; though I assure thee,

I grow an old man and feel infirmities of age marvellously stealing upon me. Would my corruptions did as fast decrease. The particulars of our late success Harry Vane or Gil Pickering will impart to thee. My love to all dear friends. I rest thine,

Oliver Cromwell.

THE BATTLE OF WORCESTER

For the Right Honorable William Lenthall, Esquire, Speaker of the Parliament of the Commonwealth of England: These, haste, haste, post haste for the special service of the State:

Near Worcester, 3rd September, 1651
(10 at night)

Sir,

Being so weary, and scarce able to write, yet I thought it my duty to let you know thus much: that upon this day, being the 3rd of September (remarkable for a mercy vouchsafed to your forces on this day twelvemonth in Scotland),* we built a bridge of boats over Severn, between it and Tame, about half a mile from Worcester; and another over Tame, within pistol-shot of our other bridge. Lieutenant-General Fleetwood and Major-General Deane marched from Upton on the southwest side of Severn up to Poyick, a town which was a pass the enemy kept. We passed over some horse and foot, and were in conjunction with the Lieutenant-General's forces. We beat the enemy from hedge to hedge till we beat him into Worcester.

The enemy then drew all his forces on the other side the town, all but what he lost, and made a very considerable fight with us for three hours' space. But in the end we beat him totally, and pursued him up to his Royal Fort, which we took,—and indeed have beaten his whole army. When we took the fort, we turned his own guns upon him. The enemy hath had great loss, and certainly is scattered and run several ways. We are in pursuit of him, and have laid forces in several places, that we hope will gather him up.

Indeed this hath been a very glorious mercy, and as stiff a contest for four or five hours as ever I have seen. Both your old forces and those new-raised have behaved themselves with very

*Cromwell's victory at Dunbar occurred on 3 September 1650; he died on the anniversary of these two great victories, on 3 September 1658.

great courage; and He that made them come out, made them willing to fight for you. The Lord Almighty frame our hearts to real thankfulness for this, which is alone His doing. I hope I shall within a day or two give you a more perfect account.

In the meantime I hope you will pardon, Sir,

Your most humble servant,
Oliver Cromwell.

ADVICE TO HIS SON HENRY

Harry,

I have received your letters, and have also seen some from you to others, and am sufficiently satisfied of your burden, and that if the Lord be not with you to enable you to bear it you are in a very sad condition.

I am glad to hear what I have heard of your carriage: study still to be innocent and to answer every occasion; roll yourself upon God, which to do needs much grace. Take heed of being over-jealous, lest your apprehensions of others cause you to offend. Know that uprightness will preserve you; in this be confident against men.

I think the Anabaptists are to blame in not being pleased with you. That's their fault. It will not reach you whilst you with singleness of heart make the glory of the Lord your aim. Take heed of professing religion without the power: that will teach you to love all who are after the similitude of Christ. Take care of making it a business to be too hard for the men who contest with you. Being over-concerned may train you into a snare. I have to do with those poor men and am not without my exercise. I know they are weak, because they are so peremptory in judging others. I quarrel not with them but in their seeking to supplant others, which is done by some first by branding them with antichristian, and then taking away their maintenance.

Be not troubled with the late business: we understand the men. Do not fear the sending of any over to you but such as will be considering men, loving all godly interests, and men that will be friends to justice. Lastly, take heed of studying to lay for yourself the foundation of a great estate. It will be a snare to you: they will watch you, bad men will be confirmed in covetousness. The thing is an evil which God abhors. I pray you think of me in this.

If the Lord did not sustain me, I were undone: but I live, and I shall live, to the good pleasure of His grace. I find mercy at need. The God of all grace keep you. I rest,

Your loving father,
Oliver P.

Whitehall

21st April 1656

My love to my dear daughter (whom I frequently pray for) and to all friends.

PRAYER ON HIS DEATH-BED

Lord, though I am a miserable and wretched creature, I am in Covenant with Thee through grace. And I may, I will, come to Thee for Thy People. Thou hast made me, though very unworthy, a mean instrument to do them some good, and Thee service; and many of them have set too high a value upon me, though others wish and would be glad of my death. Lord, however Thou do dispose of me, continue and go on to do good for them. Give them consistency of judgment, one heart, and mutual love. And go on to deliver them, and with the work of reformation; and make the Name of Christ glorious in the world. Teach those who look too much on Thy instruments to depend more upon Thyself. Pardon such as desire to trample upon the dust of a poor worm, for they are Thy people too. And pardon the folly of this short Prayer: Even for Jesus Christ's sake. And give us a good night, if it be Thy pleasure. Amen.



DEATH MASK OF CROMWELL



RICHARD CROMWELL ("TUMBLEDOWN DICK")

V

The Commonwealth and Protectorate

“THE strongest are still never sufficiently strong to ensure them continual mastership, unless they find means of transforming force into right and obedience into duty.” Rousseau’s point is perfectly illustrated in the history of the English Commonwealth and Protectorate, and particularly in the continuing but fruitless efforts of Oliver Cromwell to transform his enormous *de facto* power into a stable and enduring constitutional order. Although he proved fully capable of meeting all royalist challenges, and was able to mobilize England for successful military and naval action against the Dutch and the Spanish, Cromwell’s power died with him. Nor should it be supposed that this was a consequence of the Lord General’s unwillingness to institutionalize the power he possessed. On the contrary, few men—and even fewer military dictators—have been so keenly aware of the need for a constitution based upon the consent of the governed. The supreme irony of Cromwell’s last years lies in the fact that he was unable to find or to create responsible and representative institutions with which he might share his power, and to which he might bequeath it.

The first five months of 1649 saw the dismantling of England’s traditional institutions of central government and the erection in their place of the rather sketchy and quickly improvised system known as the Commonwealth. [1] The execution of the king in January, despite its extraordinary judicial (or pseudo-judicial) aspect, was not an event without precedent in English history. But the abolition of the very institution of monarchy, and of the House of Lords along with it, did create an absolutely novel situation. What would fill the void that had been thus

created? In practice, this question immediately resolved itself into two parts: what persons or institutions would in fact wield power, and what persons or institutions could be said to possess the right to govern? The first, the question of fact, proved relatively easy to answer: effective power resided in the victorious army, and in its leader Oliver Cromwell. This was to remain the case until Cromwell's death in 1658. The second question, that of right or of legitimacy, was never definitively answered until the restoration of the monarchy in 1660.

It may be noted in passing that there were some to whom this second question seemed quite meaningless. To their way of thinking, the *fact* of effective power was self-legitimizing: whoever was able to maintain order had a right to rule. The outstanding exponent of this view in England was the great philosopher Thomas Hobbes. Fearful that inattentive readers might fail to draw the conclusion that had been implicit in his *Leviathan* (1651) and might confuse his espousal of absolutism with a devotion to legitimate monarchy, Hobbes added an epilogue in which he explicitly demonstrated the obligation of Englishmen to obey the forces that had triumphed over the king in two civil wars. [2]

Although Hobbes expressed himself with his customary clarity and vigor, this deriving of right from might proved unacceptable to his more ideological contemporaries. Indeed, it may be argued that the peaceful restoration of 1660 was one of history's most striking instances of the derivation of might from right: Charles II came to the throne not through the use of power, but because he was widely recognized as the legitimate ruler of England. In the meanwhile, however, the question of republican (or non-monarchical) legitimacy was the burning domestic issue of the 1650's. The Rump, composed of the 50-odd surviving members of the Long Parliament, asserted with fanatical tenacity its claim to rule as the representative of the will of the people of England, or at least as the interpreter of their interest. Despite repeated assurances that it would dissolve itself and call for the election of a new representative body, the Rump gave every indication of its desire to remain as the perpetual, self-perpetuating legislature of England. When it became clear that its members had no intention of surrendering their places, preferring

rather to use their power to repress their opponents and to enhance their own positions, Cromwell's patience was exhausted; in a dramatic scene he summarily dismissed the legislature on April 22, 1653. [4] With this act, the last vestige of the traditional constitution disappeared.

The history of the next years is the history of Cromwell's fruitless search for a legislature, for a popular authority with whom he might share the governance of England. "I am as much for government by consent as any man," he once declared, "but where shall we find that consent?" Specifically, what he sought and failed to find was popular consent to a system of constitutional government based upon separation of powers and the protection of a substantial liberty of conscience. As in 1649, the first attempted solution was a makeshift: the careful selection of a group of loyal and devout citizens who could be relied upon to use their legislative power wisely. [5] Even in this Cromwell failed: after six unedifying months, the members of the Barebones (or Nominated) Parliament resigned their power to the Lord General. But if the choice of good men did not produce good laws, perhaps the framing of good laws would lead men to act well; such at least was the argument of many constitutional theorists.

In December of 1653, England became the first modern state to possess a fully-elaborated, written constitution—the Instrument of Government. [6] The regime which it established, called the Protectorate after the title of its chief executive, corresponded most closely to that outlined by the officers of the New Model Army as early as the summer of 1647. As the Putney debates had revealed, such a solution was deemed quite unacceptable by substantial groups within the army, to say nothing of radicals and sectarians in the population at large. On the other hand, royalists and even conservative republicans could hardly be expected to embrace the new institutions. Thus from the outset the Instrument of Government was received by the bulk of the English people with hostility, or at best with indifference. Most damaging of all, even the parliaments which owed their very existence to this new constitution felt no devotion to it and were consistently unwilling to be limited by its terms. Thus the years of the Protectorate saw a continuation of the sterile

conflict between Cromwell and his parliaments. In his desperate search for means of legitimizing his power and constitutionalizing his rule, the Lord Protector was sorely tempted by the suggestion that he should become king; only after months of soul-searching did he reject the crown that had been offered him. [7] At the same time, he accepted the revisions of the Instrument of Government that were contained in the Humble Petition and Advice: establishment of a second legislative chamber was intended to curb the power of the existing parliament. This, too, proved ineffectual; in February of 1658 Cromwell once again, and for the last time, dismissed parliament. [8] The failure of the constitution to provide effective ways of governing England compelled Cromwell to rely more and more upon extra-constitutional means. These, and in particular the administrative major-generals, contributed to the progressive alienation of his original supporters. [9] Although his power was never successfully challenged, the last years of Oliver Cromwell's life were a time of increasing political isolation and frustration.

An account of the political and constitutional history of any era, and particularly one as filled with conflict and drama as the period 1640-1660 in England, is apt to give the impression that men were constantly preoccupied with major issues of national policy. Such an impression would, of course, be patently false. In order to redress the balance at least partially, we have chosen to conclude this section and the next with some excerpts from the *Diary* of John Evelyn. [10] The fact that Evelyn was very much in touch with political developments, and the fact that he lived under the Commonwealth and Protectorate as a royalist and an episcopalian, make even more impressive the evidence of his diary that life—and death—continued so much as usual throughout even these troubled years.

1. THE ESTABLISHMENT OF THE COMMONWEALTH ENGAGEMENT TAKEN BY MEMBERS OF THE COUNCIL OF STATE

(22 FEBRUARY 1649)

I, A. B., being nominated a member of the Council of State by this present Parliament, do testify that I do adhere to this

present Parliament, in the maintenance and defense of the public liberty and freedom of this nation, as it is now declared by this Parliament (by whose authority I am constituted a member of the said Council) and in the maintenance and defense of their resolutions concerning the settling of the government of this nation for the future in way of a Republic, without King or House of Lords; and I do promise in the sight of God that, through His grace, I will be faithful in the performance of the trust committed to me as aforesaid, and therein faithfully pursue the instructions given to the said Council by this present Parliament; and not reveal or disclose anything, in whole or in part, directly or indirectly, that shall be debated or resolved upon in the Council, without the command or direction of the Parliament, or without the order or allowance of the major part of the Council or of the major part of them that shall be present at such debates or resolutions. In confirmation of the premises I have hereto subscribed my name.

THE ACT ABOLISHING THE OFFICE OF KING

(17 MARCH 1649)

Whereas Charles Stuart, late King of England, Ireland, and the territories and dominions thereunto belonging, hath by authority derived from Parliament been and is hereby declared to be justly condemned, adjudged to die, and put to death, for many treasons, murders, and other heinous offenses committed by him, by which judgment he stood, and is hereby declared to be attainted of high treason, whereby his issue and posterity, and all others pretending title under him, are become incapable of the said Crown, or of being King or Queen of the said kingdom or dominions, or either or any of them; be it therefore enacted and ordained, and it is enacted, ordained and declared by this present Parliament, and by authority thereof, that all the people of England and Ireland, and the dominions and territories thereunto belonging, of what degree or condition soever, are discharged of all fealty, homage and allegiance which is or shall be pretended to be due unto any of the issue and posterity of the said late King, or any claiming under him; and that Charles Stuart, eldest son, and James called Duke of York, second son,

and all other the issue and posterity of him the said late King, and all and every person and persons pretending title from, by, or under him, are and be disabled to hold or enjoy the said Crown of England and Ireland, and other the dominions thereunto belonging, or any of them; or to have the name, title, style, or dignity of King or Queen of England and Ireland, Prince of Wales, or any of them; or to have and enjoy the power and dominion of the said kingdom and dominions, or any of them, or the honors, manors, lands, tenements, possessions, and hereditaments belonging or appertaining to the said Crown of England and Ireland, and the other dominions aforesaid, or to any of them; or to the Principality of Wales, Duchy of Lancaster or Cornwall, or any or either of them, any law, statute, ordinance, usage or custom to the contrary hereof in any wise notwithstanding.

And whereas it is and hath been found by experience, that the office of a King in this nation and Ireland, and to have the power thereof in any single person, is unnecessary, burdensome, and dangerous to the liberty, safety and public interest of the people, and that for the most part, use hath been made of the regal power and prerogative to oppress and impoverish and enslave the subject; and that usually and naturally any one person in such power makes it his interest to encroach upon the just freedom and liberty of the people, and to promote the setting up of their own will and power above the laws, that so they might enslave these kingdoms to their own lust; be it therefore enacted and ordained by this present Parliament, and by authority of the same, that the office of a King in this nation shall not henceforth reside in or be exercised by any one single person; and that no person whatsoever shall or may have, or hold the office, style, dignity, power or authority of King of the said kingdoms and dominions, or any of them, or of the Prince of Wales, any law, statute, usage or custom to the contrary thereof in any wise notwithstanding.

And it is hereby enacted, that if any person or persons shall endeavor to attempt by force of arms or otherwise, or be aiding, assisting, comforting or abetting unto any person or persons that shall by any ways or means whatsoever endeavor or attempt the reviving or setting up again of any pretended right of the said

Charles, eldest son to the said late King, James called Duke of York, or of any other the issue and posterity of the said late King, or of any person or persons claiming under him or them to the said regal office, style, dignity or authority, or to be Prince of Wales; or the promoting of any one person whatsoever to the name, style, dignity, power, prerogative or authority of King of England and Ireland, and dominions aforesaid, or any of them; that then every such offense shall be deemed and adjudged high treason, and the offenders therein, their counsellors, procurers, aiders and abettors, being convicted of the said offense, or any of them, shall be deemed and adjudged traitors against the Parliament and people of England, and shall suffer, lose and forfeit, and have such like and the same pains, forfeitures, judgments and execution as is used in case of high treason.

And whereas by the abolition of the kingly office provided for in this Act a most happy way is made for this nation (if God see it good) to return to its just and ancient right of being governed by its own representatives or national meetings in council, from time to time chosen and entrusted for that purpose by the people; it is therefore resolved and declared by the Commons assembled in Parliament, that they will put a period to the sitting of this present Parliament, and dissolve the same so soon as may possibly stand with the safety of the people that hath trusted them, and with what is absolutely necessary for the preserving and upholding the Government now settled in the way of a Commonwealth; and that they will carefully provide for the certain choosing, meeting and sitting of the next and future representatives, with such other circumstances of freedom of choice and equality in distribution of members to be elected thereunto, as shall most conduce to the lasting freedom and good of this Commonwealth.

And it is hereby further enacted and declared, notwithstanding any thing contained in this Act, no person or persons of what condition and quality soever, within the Commonwealth of England and Ireland, dominion of Wales, the islands of Guernsey and Jersey, and town of Berwick-upon-Tweed, shall be discharged from the obedience and subjection which he and they owe to the Government of this nation, as it is now declared, but all and every of them shall in all things render and perform

THE COMMONWEALTH OF ENGLAND

the same, as of right is due unto the supreme authority hereby declared to reside in this and the successive representatives of the people of this nation, and in them only.

THE ACT OF ABOLISHING THE HOUSE OF LORDS (19 MARCH 1649)

The Commons of England assembled in Parliament, finding by too long experience that the House of Lords is useless and dangerous to the people of England to be continued, have thought fit to ordain and enact, and be it ordained and enacted by this present Parliament, and by the authority of the same, that from henceforth the House of Lords in Parliament shall be and is hereby wholly abolished and taken away; and that the Lords shall not from henceforth meet or sit in the said House called the Lords' House, or in any other house or place whatsoever, as a House of Lords; nor shall sit, vote, advise, adjudge or determine of any matter or thing whatsoever, as a House of Lords in Parliament: nevertheless it is hereby declared, that neither such Lords as have demeaned themselves with honor, courage and fidelity to the Commonwealth, nor their posterities who shall continue so, shall be excluded from the public councils of the nation, but shall be admitted thereunto, and have their free vote in Parliament, if they shall be thereunto elected, as other persons of interest elected and qualified thereunto ought to have.

And be it further ordained and enacted by the authority aforesaid, that no Peer of this land, not being elected, qualified and sitting in Parliament as aforesaid, shall claim, have or make use of any privilege of Parliament, either in relation to his person, quality or estate, any law, usage or custom to the contrary notwithstanding.

THE ACT OF DECLARING ENGLAND TO BE A COMMONWEALTH

(19 MAY 1649)

Be it declared and enacted by this present Parliament, and by the authority of the same, that the people of England, and of all the dominions and territories thereunto belonging, are and shall

be, and are hereby constituted, made, established and confirmed to be a Commonwealth and Free State, and shall from henceforth be governed as a Commonwealth and Free State by the supreme authority of this nation, the representatives of the people in Parliament, and by such as they shall appoint and constitute as officers and ministers under them for the good of the people, and that without any King or House of Lords.

2. THE OBLIGATION OF SUBJECTS TO THE NEW GOVERNMENT

From the contrariety of some of the natural faculties of the mind, one to another, as also of one passion to another, and from their reference to conversation, there has been an argument taken to infer an impossibility that any one man should be sufficiently disposed to all sorts of civil duty. The severity of judgment, they say, makes men censorious and unapt to pardon the errors and infirmities of other men: and on the other side, celerity of fancy makes the thoughts less steady than is necessary to discern exactly between right and wrong. Again, in all deliberations and in all pleadings, the faculty of solid reasoning is necessary: for without it the resolutions of men are rash and their sentences unjust: and yet if there be not powerful eloquence, which procureth attention and consent, the effect of reason will be little. But these are contrary faculties; the former being grounded upon principles of truth; the other upon opinions already received, true or false, and upon the passions and interests of men, which are different and mutable.

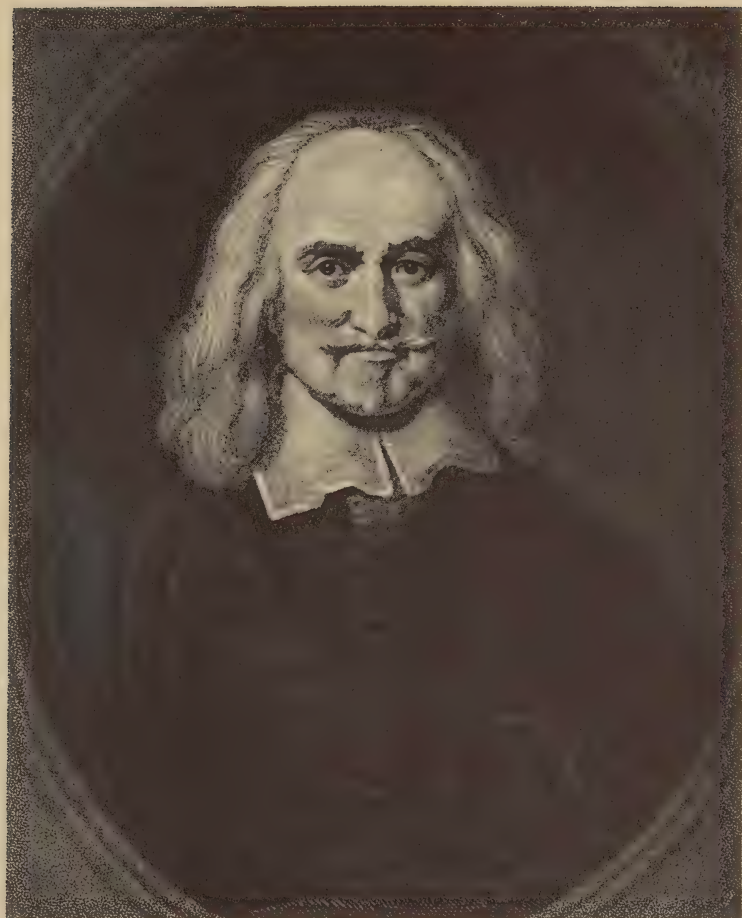
And amongst the passions, *courage* (by which I mean the contempt of wounds and violent death) inclineth men to private revenges, and sometimes to endeavor the unsettling of the public peace; and *timorousness* many times disposeth to the desertion of the public defense. Both these, they say, cannot stand together in the same person.

And to consider the contrariety of men's opinions and manners in general, it is, they say, impossible to entertain a constant civil amity with all those with whom the business of the world constrains us to converse: which business consisteth almost in nothing else but a perpetual contention for honour, riches, and authority.

To which I answer, that these are indeed great difficulties, but not impossibilities: for by education, and discipline, they may be, and are sometimes reconciled. Judgment and fancy may have place in the same man, but by turns, as the end which he aimeth at requireth. As the Israelites in Egypt were sometimes fastened to their labour of making bricks, and other times were ranging abroad to gather straw: so also may the judgment sometimes be fixed upon one certain consideration, and the fancy at another time wandering about the world. So also reason and eloquence, though not perhaps in the natural sciences, yet in the moral, may stand very well together. For wheresoever there is place for adorning and preferring of error, there is much more place for adorning and preferring of truth, if they have it to adorn. Nor is there any repugnancy between fearing the laws and not fearing a public enemy; nor between abstaining from injury and pardoning it in others. There is therefore no such inconsistency of human nature with civil duties as some may think. I have known clearness of judgment and largeness of fancy, strength of reason and graceful elocution, a courage for the war and a fear for the laws, and all eminently in one man; and that was my most noble and honoured friend Mr. Sidney Godolphin, who hating no man, nor hated of any, was unfortunately slain in the beginning of the late civil war, in the public quarrel, by an undiscerned and an undiscerning hand.

To the Laws of Nature, declared in Chapter XV, I would have this added, *that every man is bound by nature, as much as in him lieth, to protect in war the authority by which he is himself protected in time of peace.* For he that pretendeth a right of nature to preserve his own body, cannot pretend a right of nature to destroy him by whose strength he is preserved: it is a manifest contradiction of himself. And though this law may be drawn by consequence from some of those that are there already mentioned, yet the times require to have it inculcated and remembered.

And because I find by divers English books lately printed, that the civil wars have not yet sufficiently taught men in what point of time it is that a subject becomes obliged to the conqueror, nor what is conquest, nor how it comes about that it obliges men to obey his laws, therefore for further satisfaction of men therein,



HOBBS



CAROLVS II. D.G. MAGNAE BRITANNIAE FRATRI HIBERNIAE REX. *1660. 1685.*

Haec. Vasa. etc. in. Opus. ab. Antonio. van. Dycke. &. suis. in. septem. Ann. bel. etc. insculpt.

Monum. &. suis. P. etc. in. B. etc. 1685.

CHARLES II

I say the point of time wherein a man becomes subject to a conqueror is that point wherein, having liberty to submit to him, he consenteth either by express words or by other sufficient sign to be his subject. When it is that a man hath the liberty to submit, I have showed before in the end of Chapter XXI; namely, that for him that hath no obligation to his former sovereign but that of an ordinary subject, it is then, when the means of his life are within the guards and garrisons of the enemy; for it is then that he hath no longer protection from him, but is protected by the adverse party for his contribution. Seeing therefore such contribution is everywhere, as a thing inevitable, notwithstanding it be an assistance to the enemy, esteemed lawful; a total submission, which is but an assistance to the enemy, cannot be esteemed unlawful. Besides, if a man consider that they who submit assist the enemy but with part of their estates, whereas they that refuse assist him with the whole, there is no reason to call their submission, or composition, an assistance, but rather a detriment to the enemy. But if a man, besides the obligation of a subject, hath taken upon him a new obligation of a soldier, then he hath not the liberty to submit to a new power as long as the old one keeps the field and giveth him means of subsistence, either in his armies or garrisons: for in this case he cannot complain of want of protection and means to live as a soldier. But when that also fails, a soldier also may seek his protection wheresoever he has most hope to have it, and may lawfully submit himself to his new master. And so much for the time when he may do it lawfully if he will. If therefore he do it, he is undoubtedly bound to be a true subject: for a contract lawfully made cannot lawfully be broken.

By this also a man may understand when it is that men may be said to be conquered, and in what the nature of conquest and the right of a conqueror consisteth: for this submission in itself implieth them all. Conquest is not the victory itself, but the acquisition, by victory, of a right over the persons of men. He therefore that is slain, is overcome, but not conquered; he that is taken and put into prison or chains, is not conquered, though overcome, for he is still an enemy and may save himself if he can. But he that upon promise of obedience hath his life and liberty allowed him, is then conquered and a subject, and not

before. The Romans used to say that their general had "pacified" such a province, that is to say in English "conquered" it; and that the country was "pacified" by victory when the people of it had promised "*imperata facere*," that is, to do what the Roman people commanded them: this was to be conquered. But this promise may be either express or tacit: express, by promise: tacit, by other signs. As for example, a man that hath not been called to make such an express promise, because he is one whose power perhaps is not considerable; yet if he live under their protection openly, he is understood to submit himself to the government; but if he live there secretly, he is liable to anything that may be done to a spy and enemy of the state. I say not, he does any injustice, for acts of open hostility bear not that name; but that he may be justly put to death. Likewise, if a man, when his country is conquered, be out of it, he is not conquered nor subject; but if at his return he submit to the government, he is bound to obey it. So that *conquest*, to define it, is the acquiring of the right of sovereignty by victory. Which right is acquired in the people's submission, by which they contract with the victor, promising obedience for life and liberty.

In Chapter XXIX, I have set down for one of the causes of the dissolutions of commonwealths their imperfect generation, consisting in the want of an absolute and arbitrary legislative power, for want whereof the civil sovereign is fain to handle the sword of justice unconstantly and as if it were too hot for him to hold. One reason whereof, which I have not there mentioned, is this: that they will all of them justify the war by which their power was at first gotten and whereon, as they think, their right dependeth, and not on the possession. As if, for example, the right of the kings of England did depend on the goodness of the cause of William the Conqueror and upon their lineal and directest descent from him, by which means there would perhaps be no tie of the subjects' obedience to their sovereign at this day in all the world. Wherein, whilst they needlessly think to justify themselves, they justify all the successful rebellions that ambition shall at any time raise against them and their successors. Therefore I put down for one of the most effectual seeds of the death of any state, that the conquerors require not only a submission of men's actions to them for the future, but also

an approbation of all their actions past; when there is scarce a commonwealth in the world whose beginnings can in conscience be justified.

And because the name of tyranny signifieth nothing more nor less than the name of sovereignty, be it in one or many men, saving that they that use the former word are understood to be angry with them they call tyrants, I think the toleration of a professed hatred of tyranny is a toleration of hatred to commonwealth in general and another evil seed, not differing much from the former. For to the justification of the cause of a conqueror, the reproach of the cause of the conquered is for the most part necessary; but neither of them necessary for the obligation of the conquered. And thus much I have thought fit to say upon the review of the first and second part of this discourse.

In Chapter XXXV, I have sufficiently declared out of the Scripture that in the commonwealth of the Jews, God himself was made the sovereign by pact with the people, who were called therefore his *peculiar people* to distinguish them from the rest of the world, over whom God reigned not by their consent but by his own power; and that in this kingdom Moses was God's lieutenant on earth; and that it was he that told them what laws God appointed them to be ruled by. But I have omitted to set down who were the officers appointed to do execution, especially in capital punishments, not then thinking it a matter of so necessary consideration as I find it since. We know that generally in all commonwealths the execution of corporal punishments was either put upon the guards or other soldiers of the sovereign power, or given to those in whom want of means, contempt of honor and hardness of heart concurred to make them sue for such an office. But amongst the Israelites it was a positive law of God, their sovereign, that he that was convicted of a capital crime should be stoned to death by the people, and that the witnesses should cast the first stone, and after the witnesses then the rest of the people. This was a law that designed who were to be the executioners, but not that anyone should throw a stone at him before conviction and sentence, where the congregation was judge. The witnesses were nevertheless to be heard before they proceeded to execution, unless the fact were committed in the presence of the congregation itself, or in the sight

of the lawful judges; for then there needed no other witnesses but the judges themselves. Nevertheless, this manner of proceeding being not thoroughly understood hath given occasion to a dangerous opinion that any man may kill another, in some cases, by a right of zeal; as if the executions done upon offenders in the kingdom of God in old time proceeded not from the sovereign command but from the authority of private zeal; which, if we consider the texts that seem to favor it, is quite contrary. . . . There is nothing in all this, nor in any other part of the Bible, to countenance executions by private zeal; which, being oftentimes but a conjunction of ignorance and passion, is against both the justice and peace of a commonwealth.

* * *

And as to the whole doctrine, I see not yet but the principles of it are true and proper, and the ratiocination solid. For I ground the civil right of sovereigns, and both the duty and liberty of subjects, upon the known natural inclinations of mankind and upon the articles of the law of nature, of which no man that pretends but reason enough to govern his private family ought to be ignorant. And for the power ecclesiastical of the same sovereigns, I ground it on such texts as are both evident in themselves and consonant to the scope of the whole Scripture. And therefore am persuaded that he that shall read it with a purpose only to be informed, shall be informed by it. But for those that by writing or public discourse or by their eminent actions have already engaged themselves to the maintaining of contrary opinions, they will not be so easily satisfied. For in such cases it is natural for men at one and the same time both to proceed in reading and to lose their attention in the search of objections to that they had read before. Of which in a time wherein the interests of men are changed (seeing much of that doctrine which serveth to the establishing of a new government must needs be contrary to that which conduced to the dissolution of the old) there cannot choose but be very many.

In that part which treateth of a Christian commonwealth, there are some new doctrines which, it may be, in a state where the contrary were already fully determined, were a fault for a subject without leave to divulge, as being an usurpation of the place of a teacher. But in this time, that men call not only for

peace but also for truth, to offer such doctrines as I think true, and that manifestly tend to peace and loyalty, to the consideration of those that are yet in deliberation, is no more but to offer new wine to be put into new casks, that both may be preserved together. And I suppose that then, when novelty can breed no trouble or disorder in a state, men are not generally so much inclined to the reverence of antiquity as to prefer ancient errors before new and well-proved truth.

There is nothing I distrust more than my elocution, which nevertheless I am confident (excepting the mischances of the press) is not obscure. That I have neglected the ornament of quoting ancient poets, orators and philosophers, contrary to the custom of late time, whether I have done well or ill in it, proceedeth from my judgment, grounded on many reasons. For first, all truth of doctrine dependeth either upon *reason* or upon *Scripture*; both which give credit to many, but never receive it from any writer. Secondly, the matters in question are not of *fact*, but of *right*, wherein there is no place for *witnesses*. Thirdly, there is scarce any of those old writers that contradicteth not sometimes both himself and others, which makes their testimonies insufficient. Fourthly, such opinions as are taken only upon credit of antiquity are not intrinsically the judgment of those that cite them, but words that pass, like gaping, from mouth to mouth. Fifthly, it is many times with a fraudulent design that men stick their corrupt doctrine with the cloves of other men's wit. Sixthly, I find not that the ancients they cite took it for an ornament to do the like with those that wrote before them. Seventhly, it is an argument of indigestion when Greek and Latin sentences unchewed come up again, as they use to do, unchanged. Lastly, though I reverence those men of ancient time that either have written truth perspicuously or set us in a better way to find it out ourselves, yet to the antiquity itself I think nothing due. For if we will reverence the age, the present is the oldest. If the antiquity of the writer, I am not sure that generally they to whom such honor is given were more ancient when they wrote than I am that am writing. But if it be well considered, the praise of ancient authors proceeds not from the reverence of the dead but from the competition and mutual envy of the living.

To conclude, there is nothing in this whole discourse, nor in that I writ before of the same subject in Latin, as far as I can perceive, contrary either to the Word of God, or to good manners; or to the disturbance of the public tranquillity. Therefore I think it may be profitably printed and more profitably taught in the Universities, in case they also think so to whom the judgment of the same belongeth. For seeing the Universities are the fountains of civil and moral doctrine, from whence the preachers and the gentry, drawing such water as they find, sprinkle the same (both from the pulpit and in their conversation) upon the people, there ought certainly to be great care taken to have it pure, both from the venom of heathen politicians and from the incantation of deceiving spirits. And by that means the most men, knowing their duties, will be the less subject to serve the ambition of a few discontented persons in their purposes against the state, and be the less grieved with the contributions necessary for their peace and defense, and the governors themselves have the less cause to maintain at the common charge any greater army than is necessary to make good the public liberty against the invasions and encroachments of foreign enemies.

And thus I have brought to an end my Discourse of Civil and Ecclesiastical Government, occasioned by the disorders of the present time, without partiality, without application, and without other design than to set before men's eyes the mutual relation between protection and obedience, of which the condition of human nature and the laws divine, both natural and positive, require an inviolable observation. And though in the revolution of states there can be no very good constellation for truths of this nature to be born under (as having an angry aspect from the dissolvers of an old government, and seeing but the backs of them that erect a new), yet I cannot think it will be condemned at this time, either by the public judge of doctrine or by any that desires the continuance of public peace. And in this hope I return to my interrupted speculation of bodies natural; wherein, if God give me health to finish it, I hope the novelty will as much please as in the doctrine of this artificial body it useth to offend. For such truth as opposeth no man's profit, nor pleasure, is to all men welcome.

Thomas Hobbes, *Leviathan*, "A review and conclusion" (1651)

3. THE NAVIGATION ACT

(9 October 1651)

For the increase of the shipping and the encouragement of the navigation of this nation, which under the good providence and protection of God is so great a means of the welfare and safety of this Commonwealth: be it enacted by this present Parliament, and the authority thereof, that from and after the first day of December, one thousand six hundred fifty and one, and from thence forwards, no goods or commodities whatsoever of the growth, production or manufacture of Asia, Africa or America, or of any part thereof; or of any islands belonging to them, or which are described or laid down in the usual maps or cards of those places, as well of the English plantations as others, shall be imported or brought into this Commonwealth of England, or into Ireland, or any other lands, islands, plantations, or territories to this Commonwealth belonging, or in their possession, in any other ship or ships, vessel or vessels whatsoever, but only in such as do truly and without fraud belong only to the people of this Commonwealth, or the plantations thereof, as the proprietors or right owners thereof; and whereof the master and mariners are also for the most part of them the people of this Commonwealth, under the penalty of the forfeiture and loss of all the goods that shall be imported contrary to this Act; as also of the ship (with all her tackle, guns and apparel) in which the said goods or commodities shall be so brought in and imported; the one moiety to the use of the Commonwealth, and the other moiety to the use and behoof of any person or persons who shall seize the goods or commodities, and shall prosecute the same in any court of record within this Commonwealth.

And it is further enacted by the authority aforesaid, that no goods or commodities of the growth, production or manufacture of Europe, or of any part thereof, shall after the first day of December, one thousand six hundred fifty and one, be imported or brought into this Commonwealth of England, or into Ireland, or any other lands, plantations, territories or islands to this Commonwealth belonging, or in their possession, in any ship or ships, vessel or vessels whatsoever, but in such as do truly and without fraud belong only to the people of this Commonwealth,

as the true owners and proprietors thereof, and in no other, except only such foreign ships and vessels as do truly and properly belong to the people of that country or place of which the said goods are the growth, production or manufacture; or to such ports where the said goods can only be, or most usually are first shipped for transportation; and that under the same penalty of forfeiture and loss expressed in the former branch of this Act, the said forfeitures to be recovered and employed as is therein expressed.

And it is further enacted by the authority aforesaid, that no goods or commodities that are of foreign growth, production or manufacture, and which are to be brought into this Commonwealth in shipping belonging to the people thereof, shall be by them shipped or brought from any other place or places, country or countries, but only from those of their said growth, production or manufacture, or from those ports where the said goods and commodities can only, or are, or usually have been first shipped for transportation; and from none other places or countries, under the same penalty of forfeiture and loss. . . .

And it is further enacted by the authority aforesaid, that no sort of codfish, ling, herring, pilchard, or any other kind of salted fish, usually fished for and caught by the people of this nation; nor any oil made, or that shall be made of any kind of fish whatsoever, nor any whale-fins, or whale-bones, shall from henceforth be imported into this Commonwealth or into Ireland . . . but only such as shall be caught in vessels that do or shall truly and properly belong to the people of this nation. . . .

And it is further enacted by the authority aforesaid, that no sort of cod, ling, herring or pilchard, or any other kind of salted fish whatsoever, which shall be caught and cured by the people of this Commonwealth, shall be from and after the first of February, one thousand six hundred fifty three, exported from any place or places belonging to this Commonwealth, in any other ship or ships, vessel or vessels, save only in such as do truly and properly appertain to the people of this Commonwealth, as right owners. . . .

Provided always, that this Act, nor anything therein contained, extend not, or be meant to restrain the importation of any of the commodities of the Straits of Gibraltar or Levant seas, laden in the shipping of this nation as aforesaid, at the usual ports

or places for the lading of them heretofore, within the said Straits or Levant seas, though the said commodities be not of the very growth of the said places.

Provided also, that this Act nor anything therein contained, extend not, nor be meant to restrain the importing of any East India commodities laden in the shipping of this nation, at the usual port or places for lading of them heretofore in any part of those seas, to the southward and eastward of Capo Bona Esperanza, the Cape of Good Hope, although the said ports be not the very places of their growth.

Provided also, that it shall and may be lawful to and for any of the people of this Commonwealth, in vessels or ships to them belonging, and whereof the master and mariners are of this nation as aforesaid, to load and bring in from any of the ports of Spain and Portugal, all sorts of goods or commodities that have come from, or any way belonged unto the plantations or dominions of either of them respectively.

Be it also further enacted by the authority aforesaid, that from henceforth it shall not be lawful to any person or persons whatsoever to load or cause to be laden and carried in any bottom or bottoms, ship or ships, vessel or vessels, whatsoever, whereof any stranger or strangers born (unless such be denizens naturalized) be owners, or masters, any fish, victual, wares, or things of what kind or nature soever the same shall be, from one port or creek of this Commonwealth, to another port or creek of the same. . . .

Lastly, that this Act, nor anything therein contained, extend not to bullion, nor yet to any goods taken, or that shall be taken by way of reprisal by any ship or ships, having commission from this Commonwealth.

Provided, that this Act, or anything therein contained, shall not extend, nor be construed to extend to any silk or silk wares which shall be brought by land from any part of Italy, and there bought with the proceed of English commodities, sold either for money or in barter; but that it shall and may be lawful for any of the people of this Commonwealth to ship the same in English vessels from Ostend, Nieuport, Rotterdam, Middelburg, Amsterdam, or any ports thereabouts, the owners and proprietors first making oath by themselves, or other credible witnesses, before the Commissioners of the Customs for the time being or their

deputies, or one of the Barons of the Exchequer, that the goods aforesaid were so bought for his or their own proper account in Italy.

4. DECLARATION OF OLIVER CROMWELL AND THE COUNCIL OF OFFICERS ON DISMISSING THE LONG PARLIAMENT

(22 April 1653)

OUR intention is not to give an account, at this time, of the grounds which first moved us to take up arms and engage our lives and all that was dear to us in this cause; nor to mind, in this declaration, the various dispensations through which Divine Providence hath led us, or the witness the Lord hath borne, and the many signal testimonies of acceptance which He hath given to the sincere endeavors of His unworthy servants whilst they were contesting with the many and great difficulties, as well in the wars as other transactions in the three nations; being necessitated for the defense of the same cause they first asserted to have recourse unto extraordinary actions, the same being evident by former declarations published on that behalf.

After it had pleased God not only to reduce Ireland and give in Scotland, but so marvellously to appear for His people at Worcester that these nations were reduced to a great degree of peace, and England to perfect quiet, and thereby the Parliament had opportunity to give the people the harvest of all their labor, blood and treasure, and to settle a due liberty both in reference to civil and spiritual things, whereunto they were obliged by their duty, their engagements, as also the great and wonderful things which God hath wrought for them; it was matter of much grief to the good and well-affected of the land to observe the little progress which was made therein, who thereupon applied to the army, expecting redress by their means; notwithstanding which, the army being unwilling to meddle with the civil authority in matters so properly appertaining to it, it was agreed that his Excellency and officers of the army which were members of Parliament should be desired to move the Parliament to proceed vigorously in reforming what was amiss in government, and to the settling of the Commonwealth upon a foundation of justice

and righteousness; which having done, we hoped that the Parliament would seasonably have answered our expectation; but finding, to our grief, delays therein, we renewed our desires in an humble petition to them, which was presented in August last; and although they at that time, signifying their good acceptance thereof, returned us thanks and referred the particulars thereof to a Committee of the House, yet no considerable effort was produced, nor any such progress made as might imply their real intentions to accomplish what was petitioned for; but, on the contrary, there more and more appeared amongst them an aversion to the things themselves, with much bitterness and opposition to the people of God and His spirit acting in them; which grew so prevalent that those persons of honor and integrity amongst them, who had eminently appeared for God and the public good, both before and throughout this war, were rendered of no further use in Parliament than by meeting with a corrupt party to give them countenance to carry on their ends, and for effecting the desire they had of perpetuating themselves in the supreme government, for which purpose the said party long opposed, and frequently declared themselves against having a new Representative; and when they saw themselves necessitated to take that Bill into consideration, they resolved to make use of it to recruit the House with persons of the same spirit and temper, thereby to perpetuate their own sitting; which intention divers of the activest amongst them did manifest, laboring to persuade others to a consent therein; and the better to effect this, divers petitions, preparing from several counties for the continuance of this Parliament, were encouraged, if not set on foot, by many of them.

For obviating of these evils, the officers of the army obtained several meetings with some of the Parliament, to consider what fitting means and remedy might be applied to prevent the same; but such endeavors proving altogether ineffectual, it became most evident to the army, as they doubt not it also is to all considering persons, that this Parliament, through the corruption of some, the jealousy of others, the non-attendance and negligence of many, would never answer those ends which God, His people, and the whole nation expected from them; but that this cause, which the Lord hath so greatly blessed and borne witness to, must needs languish under their hands and by degrees be wholly

lost; and the lives, liberties, and comforts of His people delivered into their enemies' hands.

All which being sadly and seriously considered by the honest people of this nation, as well as by the army, and wisdom and discretion being sought from the Lord, it seemed to be a duty incumbent upon us, who had seen so much of the power and presence of God going along with us, to consider of some more effectual means to secure the cause which the good people of this Commonwealth had been so long engaged in, and to establish righteousness and peace in these nations.

And after much debate it was judged necessary, and agreed upon, that the supreme authority should be, by the Parliament, devolved upon known persons, men fearing God and of approved integrity; and the government of the Commonwealth committed unto them for a time, as the most hopeful way to encourage and countenance all God's people, reform the law, and administer justice impartially; hoping thereby the people might forget Monarchy and, understanding their true interest in the election of successive Parliaments, may have the government settled upon a true basis, without hazard to this glorious cause, or necessitating to keep up armies for the defense of the same. And being still resolved to use all means possible to avoid extraordinary courses, we prevailed with about twenty members of Parliament to give us a conference, with whom we freely and plainly debated the necessity and justness of our proposals on that behalf; and did evidence that those, and not the Act under their consideration, would most probably bring forth something answerable to that work, the foundation whereof God Himself hath laid and is now carrying on in the world.

The which, notwithstanding, found no acceptance; but, instead thereof, it was offered that the way was to continue still this present Parliament, as being that from which we might reasonably expect all good things; and this being vehemently insisted upon, did much confirm us in our apprehensions that not any love to a Representative, but the making use thereof to recruit and so perpetuate themselves, was their aim.

They being plainly dealt with about this, and told that neither the nation, the honest interest, nor we ourselves would be deluded by such dealings, they did agree to meet again the next

day in the afternoon for mutual satisfaction; it being consented unto by the members present that endeavors should be used that nothing in the meantime should be done in Parliament that might exclude or frustrate the proposals before mentioned.

Notwithstanding this, the next morning the Parliament did make more haste than usual in carrying on their said Act, being helped on therein by some of the persons engaged to us the night before; none of them which were then present endeavoring to oppose the same; and being ready to put the main question for consummating the said Act, whereby our aforesaid proposals would have been rendered void and the way of bringing them into a fair and full debate in Parliament obstructed; for preventing thereof, and all the sad and evil consequences which must, upon the grounds aforesaid, have ensued; and whereby, at one blow, the interest of all honest men and of this glorious cause had been in danger to be laid in the dust, and these nations embroiled in new troubles at a time when our enemies abroad are watching all advantages against us, and some of them actually engaged in war with us, we have been necessitated, though with much reluctancy, to put an end to this Parliament; which yet we have done, we hope, out of an honest heart, preferring this cause above our names, lives, families or interests, how dear soever; with clear intentions and real purposes of heart, to call to the government persons of approved fidelity and honesty; believing that as no wise men will expect to gather grapes of thorns, the fruits of a just and righteous reformation, so long prayed and wished for, will, by the blessing of God, be in due time obtained, to the refreshing of all those good hearts who have been panting after those things.

Much more might have been said, if it had been our desire to justify ourselves by aspersing others, and raking into the misgovernment of affairs; but we shall conclude with this, that as we have been led by necessity and Providence to act as we have done, so we shall and do in that part of this great work which is behind, put ourselves wholly upon the Lord for a blessing; professing, we look not to stand one day without His support, much less to bring to pass any of the things mentioned and desired without His assistance; and therefore do solemnly desire and expect that all men, as they would not provoke the Lord to

their own destruction, should wait for such issue as He should bring forth, and to follow their business with peaceable spirits, wherein we promise them protection by His assistance.

And for those who profess their fear and love to the name of God, that seeing in a great measure for their sakes, and for righteousness' sake, we have taken our lives in our hands to do these things, they would be instant with the Lord day and night on our behalfs, that we may obtain grace from Him; and seeing we have made so often mention of His name, that we may not do the least dishonor thereunto: which indeed would be our confusion and a stain to the whole profession of Godliness.

We beseech them also to live in all humility, meekness, righteousness and love toward one another, and towards all men, that so they may put to silence the ignorance of the foolish, who falsely accuse them, and to know that the late great and glorious dispensations, wherein the Lord hath so wonderfully appeared in bringing forth these things by the travail and blood of His children, ought to oblige them so to walk in the wisdom and love of Christ as may cause others to honor their holy profession, because they see Christ to be in them of a truth.

We do further purpose, before it be long, more particularly to show the grounds of our proceedings, and the reasons of this late great action and change, which in this we have but hinted at.

And we do lastly declare, that all Judges, Sheriffs, Justices of the Peace, Mayors, Bailiffs, Committees, and Commissioners, and all other civil officers and public ministers whatsoever, within this Commonwealth, or any parts thereof, do proceed in their respective places and offices; and all persons whatsoever are to give obedience to them as fully as when Parliament was sitting.

Signed in the name, and by the appointment, of his Excellency the Lord General and his Council of Officers.

Will. Malyn, Secretary

5. SUMMONS TO THE BAREBONES PARLIAMENT

(6 June 1653)

Forasmuch as upon the dissolution of the late Parliament it became necessary that the peace, safety and good government of this Commonwealth should be provided for; and, in order there-

unto, divers persons fearing God, and of approved fidelity and honesty, are by myself, with the advice of my council of officers, nominated, to whom the great charge and trust of so weighty affairs is to be committed; and having good assurance of your love to, and courage for, God and the interest of His cause, and of the good people of this Commonwealth:

I, Oliver Cromwell, Captain-General and Commander-in-Chief of all the armies and forces raised, and to be raised, within this Commonwealth, do hereby summon and require you (being one of the said persons nominated) personally to be and appear at the Council Chamber, commonly known or called by the name of the Council Chamber at Whitehall, within the City of Westminster, upon the 4th day of July next ensuing the date hereof; then and there to take upon you the said trust unto which you are hereby called and appointed, to serve as a member for the county of And hereof you are not to fail.

Given under my hand and seal the 6th day of June, 1653.

O. Cromwell

6. THE INSTRUMENT OF GOVERNMENT

(16 December 1653)

The government of the Commonwealth of England, Scotland, and Ireland, and the dominions thereunto belonging.

I

That the supreme legislative authority of the Commonwealth of England, Scotland, and Ireland, and the dominions thereunto belonging, shall be and reside in one person, and the people assembled in Parliament: the style of which person shall be the Lord Protector of the Commonwealth of England, Scotland, and Ireland.

II

That the exercise of the chief magistracy and the administration of the government over the said countries and dominions, and the people thereof, shall be in the Lord Protector, assisted with a council, the number whereof shall not exceed twenty-one, nor be less than thirteen.

III

That all writs, processes, commissions, patents, grants, and other things, which now run in the name and style of the keepers of the liberty of England by authority of Parliament, shall run in the name and style of the Lord Protector, from whom, for the future, shall be derived all magistracy and honors in these three nations; and have the power of pardons (except in case of murders and treason) and benefit of all forfeitures for the public use; and shall govern the said countries and dominions in all things by the advice of the council, and according to these presents and the laws.

IV

That the Lord Protector, the Parliament sitting, shall dispose and order the militia and forces, both by sea and land, for the peace and good of the three nations, by consent of Parliament; and that the Lord Protector, with the advice and consent of the major part of the council, shall dispose and order the militia for the ends aforesaid in the intervals of Parliament.

V

That the Lord Protector, by the advice aforesaid, shall direct in all things concerning the keeping and holding of a good correspondence with foreign kings, princes, and states; and also, with the consent of the major part of the council, have the power of war and peace.

VI

That the laws shall not be altered, suspended, abrogated, or repealed, nor any new law made, nor any tax, charge, or imposition laid upon the people, but by common consent in Parliament, save only as is expressed in the thirtieth article.

VII

That there shall be a Parliament summoned to meet at Westminster upon the third day of September, 1654, and that successively a Parliament shall be summoned every third year, to be accounted from the dissolution of the present Parliament.

VIII

That neither the Parliament to be next summoned, nor any

successive Parliaments, shall, during the time of five months, to be accounted from the day of their first meeting, be adjourned, prorogued, or dissolved, without their own consent.

IX

That as well the next as all other successive Parliaments shall be summoned and elected in manner hereafter expressed; that is to say, the persons to be chosen within England, Wales, the Isles of Jersey, Guernsey, and the town of Berwick-upon-Tweed, to sit and serve in Parliament, shall be, and not exceed, the number of four hundred. The persons to be chosen within Scotland, to sit and serve in Parliament, shall be, and not exceed, the number of thirty; and the persons to be chosen to sit in Parliament for Ireland shall be, and not exceed, the number of thirty.

X

That the persons to be elected to sit in Parliament from time to time, for the several counties of England, Wales, the Isles of Jersey and Guernsey, and the town of Berwick-upon-Tweed, and all places within the same respectively, shall be according to the proportions and numbers hereafter expressed: that is to say,

Bedfordshire 5

Bedford Town 1 &c. &c.

The distribution of the persons to be chosen for Scotland and Ireland, and the several counties, cities, and places therein, shall be according to such proportions and number as shall be agreed upon and declared by the Lord Protector and the major part of the council, before the sending forth writs of summons for the next Parliament.

XI

That the summons to Parliament shall be by writ under the Great Seal of England, directed to the sheriffs of the several and respective counties, with such alteration as may suit with the present government, to be made by the Lord Protector and his council, which the chancellor, Keeper, or Commissioners of the Great Seal shall seal, issue, and send abroad by warrant from the Lord Protector. If the Lord Protector shall not give warrant for issuing of writs of summons for the next Parliament, before the first of June, 1654, or for the Triennial Parliaments, before

the first day of August in every third year, to be accounted as aforesaid; that then the Chancellor, Keeper, or Commissioners of the Great Seal for the time being, shall, without any warrant or direction, within seven days after the said first of June, 1654, seal, issue, and send abroad writs of summons (changing therein what is to be changed, as aforesaid) to the several and respective Sheriffs of England, Scotland, and Ireland, for summoning the Parliament to meet at Westminster, the third day of September next; and shall likewise, within seven days after the said first day of August, in every third year, to be accounted from the dissolution of the precedent Parliament, seal, issue, and send forth abroad several writs of summons (changing therein what is to be changed, as aforesaid) for summoning the Parliament to meet at Westminster the sixth of November in that third year. That the said several and respective Sheriffs shall, within ten days after receipt of such writ as aforesaid, cause the same to be proclaimed and published in every market-town within his county upon the market-days thereof, between twelve and three of the clock; and shall then also publish and declare the certain day of the week and month, for choosing members to serve in Parliament for the body of the said county, according to the tenor of the said writ, which shall be upon Wednesday five weeks after the date of the writ; and shall likewise declare the place where the election shall be made: for which purposes he shall appoint the most convenient place for the whole county to meet in; and shall send precepts for elections to be made in all and every city, town, borough, or place within his county, where elections are to be made by virtue of these presents, to the Mayor, Sheriff, or other head officer of such city, town, borough, or place, within three days after the receipt of such writ and writs; which the said Mayors, Sheriffs, and others respectively are to make publication of, and of the certain day for such elections to be made in the said city, town, or place aforesaid, and to cause elections to be made accordingly.

XII

That at the day and place of elections, the Sheriff of each county, and the said Mayors, Sheriffs, Bailiffs, and other head officers within their cities, towns, boroughs, and places respec-

tively, shall take view of the said elections, and shall make return into the chancery within twenty days after the said elections, of the persons elected by the greater number of electors, under their hands and seals, between him on the one part, and the electors on the other part; wherein shall be contained, that the persons elected shall not have power to alter the government as it is hereby settled in one single person and a Parliament.

XIII

That the Sheriff, who shall wittingly and willingly make any false return, or neglect his duty, shall incur the penalty of 2000 marks of lawful English money; the one moiety to the Lord Protector, and the other moiety to such person as will sue for the same.

XIV

That all and every person and persons, who have aided, advised, assisted, or abetted in any war against the Parliament, since the first day of January, 1641 [1642], (unless they have been since in the service of the Parliament, and given signal testimony of their good affection thereunto) shall be disabled and incapable to be elected, or give any vote in the election of any members to serve in the next Parliament, or in the three succeeding Triennial Parliaments.

XV

That all such, who have advised, assisted, or abetted the rebellion of Ireland, shall be disabled and incapable forever to be elected, or give any vote in the election of any member to serve in Parliament; as also shall all such who do or shall profess the Roman Catholic religion.

XVI

That all votes and elections given or made contrary, or not according to these qualifications, shall be null and void; and if any person, who is hereby made incapable, shall give his vote for election of members to serve in Parliament, such person shall lose and forfeit one full year's value of his real estate, and one full third part of his personal estate; one moiety thereof to the Lord Protector, and the other moiety to him or them who shall sue for the same.

XVII

That the persons who shall be elected to serve in Parliament, shall be such (and no other than such) as are persons of known integrity, fearing God, and of good conversation, and being of the age of twenty-one years.

XVIII

That all and every person and persons seised or possessed to his own use, of any estate, real or personal, to the value of £200, and not within the aforesaid exceptions, shall be capable to elect members to serve in Parliament for counties.

XIX

That the Chancellor, Keeper, or Commissioners of the Great Seal, shall be sworn before they enter into their offices, truly and faithfully to issue forth, and send abroad, writs of summons to Parliament, at the times and in the manner before expressed: and in case of neglect or failure to issue and send abroad writs accordingly, he or they shall for every such offense be guilty of high treason, and suffer the pains and penalties thereof.

XX

That in case writs be not issued out, as is before expressed, but that there be a neglect therein, fifteen days after the time wherein the same ought to be issued out by the Chancellor, Keeper, or Commissioners of the Great Seal; that then the Parliament shall, as often as such failure shall happen, assemble and be held at Westminster, in the usual place, at the times prefixed, in manner and by the means hereafter expressed; that is to say, that the sheriffs of the several and respective counties, sheriffdoms, cities, boroughs, and places aforesaid within England, Wales, Scotland, and Ireland, the Chancellor, Masters, and Scholars of the Universities of Oxford and Cambridge, and the Mayor and Bailiffs of the borough of Berwick-upon-Tweed, and other places aforesaid respectively, shall at the several courts and places to be appointed as aforesaid, within thirty days after the said fifteen days, cause such members to be chosen for their said several and respective counties, sheriffdoms, universities, cities, boroughs, and places aforesaid, by such persons, and in such manner, as if several and respective writs of summons to Parliament under the

Great Seal had issued and been awarded according to the tenor aforesaid: that if the sheriff, or other persons authorized, shall neglect his or their duty herein, that all and every such sheriff and person authorized as aforesaid, so neglecting his or their duty, shall, for every such offense, be guilty of high treason, and shall suffer the pains and penalties thereof.

XXI

That the clerk, called the clerk of the Commonwealth in Chancery for the time being, and all others, who shall afterwards execute that office, to whom the returns shall be made, shall for the next Parliament, and the two succeeding triennial Parliaments, the next day after such return, certify the names of the several persons so returned, and of the places for which he and they were chosen respectively, unto the Council; who shall peruse the said returns, and examine whether the persons so elected and returned be such as is agreeable to the qualifications, and not disabled to be elected: and that every person and persons being so duly elected, and being approved of by the major part of the Council to be persons not disabled, but qualified as aforesaid, shall be esteemed a member of Parliament, and be admitted to sit in Parliament, and not otherwise.

XXII

That the persons so chosen and assembled in manner aforesaid, or any sixty of them, shall be, and be deemed the Parliament of England, Scotland, and Ireland; and the supreme legislative power to be and reside in the Lord Protector and such Parliament, in manner herein expressed.

XXIII

That the Lord Protector, with the advice of the major part of the Council, shall at any other time than is before expressed, when the necessities of the State shall require it, summon Parliaments in manner before expressed, which shall not be adjourned, prorogued, or dissolved without their own consent, during the first three months of their sitting. And in case of future war with any foreign State, a Parliament shall be forthwith summoned for their advice concerning the same.

XXIV

That all Bills agreed unto by Parliament, shall be presented to the Lord Protector for his consent; and in case he shall not give his consent thereto within twenty days after they shall be presented to him, or give satisfaction to the Parliament within the time limited, that then, upon declaration of the Parliament that the Lord Protector hath not consented nor given satisfaction, such Bills shall pass into and become laws, although he shall not give his consent thereunto; provided such Bills contain nothing in them contrary to the matters contained in these presents.

XXV

That Henry Lawrence, Esq., [and fourteen other persons named] or any seven of them, shall be a Council for the purposes expressed in this writing; and upon the death or other removal of any of them, the Parliament shall nominate six persons of ability, integrity, and fearing God, for every one that is dead or removed; out of which the major part of the Council shall elect two, and present them to the Lord Protector, of which he shall elect one; and in case the Parliament shall not nominate within twenty days after notice given unto them, the major part of the Council shall nominate three as aforesaid to the Lord Protector, who out of them shall supply the vacancy; and until this choice be made, the remaining part of the Council shall execute as fully in all things, as if their number were full. And in case of corruption, or other miscarriage in any of the Council in their trust, the Parliament shall appoint seven of their number, and the Council six, who, together with the Lord Chancellor, Lord Keeper, or Commissioners of the Great Seal for the time being, shall have power to hear and determine such corruption and miscarriage, and to award and inflict punishment, as the nature of the offense shall deserve, which punishment shall not be pardoned or remitted by the Lord Protector; and, in the interval of Parliaments, the major part of the Council, with the consent of the Lord Protector, may, for corruption or other miscarriage as aforesaid, suspend any of their number from the exercise of their trust, if they shall find it just, until the matter shall be heard and examined as aforesaid.

XXVI

That the Lord Protector and the major part of the Council aforesaid may, at any time before the meeting of the next Parliament, add to the Council such persons as they shall think fit, provided the number of the Council be not made thereby to exceed twenty-one, and the quorum to be proportioned accordingly by the Lord Protector and the major part of the Council.

XXVII

That a constant yearly revenue shall be raised, settled, and established for maintaining of 10,000 horse and dragoons, and 20,000 foot, in England, Scotland, and Ireland, for the defense and security thereof, and also for a convenient number of ships for guarding of the seas; besides £200,000 per annum for defraying the other necessary charges of administration of justice, and other expenses of the Government, which revenue shall be raised by the customs, and such other ways and means as shall be agreed upon by the Lord Protector and the Council, and shall not be taken away or diminished, nor the way agreed upon for raising the same altered, but by consent of the Lord Protector and the Parliament.

XXVIII

That the said yearly revenue shall be paid into the public treasury, and shall be issued out for the uses aforesaid.

XXIX

That in case there shall not be cause hereafter to keep up so great a defense both at land or sea, but that there be an abatement made thereof, the money which will be saved thereby shall remain in the bank for the public service, and not be employed to any other use but by consent of Parliament, or, in the intervals of Parliament, by the Lord Protector and major part of the Council.

XXX

That the raising of money for defraying the charge of the present extraordinary forces, both at sea and land, in respect of the present wars, shall be by consent of Parliament, and not other-

wise: save only that the Lord Protector, with the consent of the major part of the Council, for preventing the disorders and dangers which might otherwise fall out both by sea and land, shall have power, until the meeting of the first Parliament, to raise money for the purposes aforesaid; and also to make laws and ordinances for the peace and welfare of these nations where it shall be necessary, which shall be binding and in force, until order shall be taken in Parliament concerning the same.

XXXI

That the lands, tenements, rents, royalties, jurisdictions and hereditaments which remain yet unsold or undisposed of, by Act or Ordinance of Parliament, belonging to the Commonwealth (except the forests and chases, and the honors and manors belonging to the same; the lands of the rebels in Ireland, lying in the four counties of Dublin, Cork, Kildare, and Carlow; the lands forfeited by the people of Scotland in the late wars, and also the lands of Papists and delinquents in England who have not yet compounded), shall be vested in the Lord Protector, to hold, to him and his successors, Lords Protectors of these nations, and shall not be alienated but by consent in Parliament. And all debts, fines, issues, amercements, penalties and profits, certain and casual, due to the Keepers of the liberties of England by authority of Parliament, shall be due to the Lord Protector, and be payable into his public receipt, and shall be recovered and prosecuted in his name.

XXXII

That the office of Lord Protector over these nations shall be elective and not hereditary; and upon the death of the Lord Protector, another fit person shall be forthwith elected to succeed him in the government; which election shall be by the Council, who, immediately upon the death of the Lord Protector, shall assemble in the Chamber where they usually sit in Council; and, having given notice to all their members of the cause of their assembling, shall, being thirteen at least present, proceed to the election; and, before they depart the said Chamber, shall elect a fit person to succeed in the Government, and forthwith cause proclamation thereof to be made in all the three nations as shall be requisite;

and the person that they, or the major part of them, shall elect as aforesaid, shall be, and shall be taken to be, Lord Protector over these nations of England, Scotland, and Ireland, and the dominions thereto belonging. Provided that none of the children of the late King, nor any of his line or family, be elected to be Lord Protector or other Chief Magistrate over these nations, or any the dominions thereto belonging. And until the aforesaid election be past, the Council shall take care of the Government, and administer in all things as fully as the Lord Protector, or the Lord Protector and Council are enabled to do.

XXXIII

That Oliver Cromwell, Captain-General of the forces of England, Scotland and Ireland, shall be, and is hereby declared to be, Lord Protector of the Commonwealth of England, Scotland and Ireland, and the dominions thereto belonging, for his life.

XXXIV

That the Chancellor, Keeper or Commissioners of the Great Seal, the Treasurer, Admiral, Chief Governors of Ireland and Scotland, and the Chief Justices of both the Benches, shall be chosen by the approbation of Parliament; and, in the intervals of Parliament, by the approbation of the major part of the Council, to be afterwards approved by the Parliament.

XXXV

That the Christian religion, as contained in the Scriptures, be held forth and recommended as the public profession of these nations; and that, as soon as may be, a provision, less subject to scruple and contention, and more certain than the present, be made for the encouragement and maintenance of able and painful teachers, for the instructing the people, and for discovery and confutation of error, hereby, and whatever is contrary to sound doctrine; and until such provision be made, the present maintenance shall not be taken away or impeached.

XXXVI

That to the public profession held forth none shall be compelled by penalties or otherwise; but that endeavors be used to

win them by sound doctrine and the example of a good conversation.

XXXVII

That such as profess faith in God by Jesus Christ (though differing in judgment from the doctrine, worship or discipline publicly held forth) shall not be restrained from, but shall be protected in, the profession of the faith and exercise of their religion; so as they abuse not this liberty to the civil injury of others and to the actual disturbance of the public peace on their parts: provided this liberty be not extended to Popery or Prelacy, nor to such as, under the profession of Christ, hold forth and practice licentiousness.

XXXVIII

That all laws, statutes and ordinances, and clauses in any law, statute or ordinance to the contrary of the aforesaid liberty, shall be esteemed as null and void.

XXXIX

That the Acts and Ordinances of Parliaments made for the sale or other disposition of the lands, rents and hereditaments of the late King, Queen, and Prince, of Archbishops and Bishops, &c., Deans and Chapters, the lands of delinquents and forest-lands, or any of them, or of any other lands, tenements, rents and hereditaments belonging to the Commonwealth, shall nowise be impeached or made invalid, but shall remain good and firm; and that the securities given by Act and Ordinance of Parliament for any sum or sums of money, by any of the said lands, the excise, or any other public revenue; and also the securities given by the public faith of the nation, and the engagement of the public faith for satisfaction of debts and damages, shall remain firm and good, and not made void and invalid upon any pretense whatsoever.

XL

That the Articles given to or made with the enemy, and afterwards confirmed by Parliament, shall be performed and made good to the persons concerned therein; and that such appeals as

were depending in the last Parliament for relief concerning bills of sale of delinquents' estates, may be heard and determined the next Parliament, any thing in this writing or otherwise to the contrary notwithstanding.

XLI

That every successive Lord Protector over these nations shall take and subscribe a solemn oath, in the presence of the Council, and such others as they shall call to them, that he will seek the peace, quiet and welfare of these nations, cause law and justice to be equally administered; and that he will not violate or infringe the matters and things contained in this writing, and in all other things will, to his power and to the best of his understanding, govern these nations according to the laws, statutes and customs thereof.

XLII

That each person of the Council shall, before they enter upon their trust, take and subscribe an oath, that they will be true and faithful in their trust, according to the best of their knowledge; and that in the election of every successive Lord Protector they shall proceed therein impartially, and do nothing therein for any promise, fear, favor or reward.

7. CROMWELL'S REFUSAL OF THE CROWN

(Speech to the second Protectorate Parliament)

(8 May 1657)

Mr. Speaker:

I come hither to answer That that was in your last Paper to your Committee you sent to me; which was in relation to the desires that were offered to me by the House in that they called their Petition.

I confess, that business hath put the House, the Parliament, to a great deal of trouble, and spent much time. I am very sorry for that. It hath cost me some, and some thoughts: and because I have been the unhappy occasion of the expense of so much time, I shall spend little of it now.

I have, the best I can, revolved the whole business in my thoughts: and I have said so much already in testimony to the whole, that I think I shall not need to repeat anything that I have said. It is an Act of Government that, in the aims of it, seeks the settling of the nation on a good foot, in relation to civil rights and liberties, which are the Rights of the Nation. And I hope I shall never be found to be one of them that go about to rob the Nation of those Rights—but to serve them what I can to the attaining of them. It is also exceedingly well provided there for the safety and security of honest men in that great natural and religious liberty, which is Liberty of Conscience. These are the great Fundamentals; and I must bear testimony to them (as I have done and shall do still, so long as God lets me live in this world): That the intentions and the things are very honorable and honest, and the product worthy of a Parliament.

I have only had the unhappiness, both in my conference with your committees and in the best thoughts I could take to myself, not to be convinced of the necessity of that thing that hath been so often insisted on by you—to wit, the title of King—as in itself so necessary as it seem to be apprehended by yourselves. And I do, with all honor and respect to the judgment of a Parliament, testify that *cæteris paribus* no private judgment is to lie in the balance with the judgment of Parliament; but in things that respect particular persons, every man that is to give an account to God of his actions, he must in some measure be able to prove his own work, and to have an approbation in his own conscience of that that he is to do or to forbear. And whilst you are granting others liberties, surely you will not deny me this; it being not only a liberty but a duty, and such a duty as I cannot without sinning forbear—to examine my own heart and thoughts and judgment, in every work which I am to set my hand to, or to appear in or for.

I must confess therefore that though I do acknowledge all the other particulars, yet I must be a little confident in this: that what with the circumstances that accompany human actions—whether they be circumstances of time or persons, whether circumstances that relate to the whole, or private or particular circumstances that compass any person that is to render an account

of his own actions—I have truly thought, and do still think, that if I should at the best do anything on this account to answer your expectation, at the best I should do it doubtingly. And certainly what is so is not of faith. And whatsoever is not so, whatsoever is not of faith, is sin to him that doth it—whether it be with relation to the substance of the action about which that consideration is conversant, or whether to circumstances about it, which make all indifferent actions good or evil. I say “circumstances”; and truly I mean good or evil to him that doth it.

I, lying under this consideration, think it my duty to let you know—only I could have wished I had done it sooner, for the sake of the House, who hath laid so infinite obligations on me. I wish I had done it sooner for your sake, and for saving time and trouble; and indeed for the Committee’s sake, to whom I must acknowledge publicly I have been unreasonably troublesome! I say I could have wished I had given it sooner. But truly this is my answer: That although I think the Act of Government doth consist of very excellent parts, in all but in that one thing, the Title (as to me), I should not be an honest man if I should not tell you that I cannot accept of the Government, nor undertake the trouble and charge of it—which I have a little more experimented than everybody what troubles and difficulties do befall men under such trusts and in such undertakings—I say I am persuaded to return this answer to you: That I cannot undertake this Government with that title of King. And that is mine answer to this great and weighty business.

8. CROMWELL DISMISSES THE SECOND PARLIAMENT OF THE PROTECTORATE

(4 February 1658)

My Lords, and Gentlemen of the House of Commons:

I had very comfortable expectations that God would make the meeting of this Parliament a blessing; and, the Lord be my witness, *I* desired the carrying-on the affairs of the nation to these ends! The blessing which I mean, and which we ever aimed at, was mercy, truth, righteousness and peace—which I desire may be improved.

That which brought me into the capacity I now stand in was the Petition and Advice given me by you, who, in reference to the ancient constitution, did draw me to accept the place of Protector. There is not a man living can say I sought it; no, not a man nor woman treading upon English ground. But, contemplating the sad condition of these nations, relieved from an intestine war into a six or seven years' peace, I did think the nation happy therein! But to be petitioned thereunto, and advised by you to undertake such a government, a burden too heavy for any creature; and this to be done by the House that had the legislative capacity—I did look that the same men that made the frame should make it good unto me! I can say in the presence of God, in comparison of whom we are but like poor creeping ants upon the earth, I would have been glad to have lived under my woodside, to have kept a flock of sheep, rather than undertook such a government as this is. But undertaking it by the Advice and Petition of you, I did look that you that had offered it unto me should make it good.

I did tell you at a conference concerning it, that I would not undertake it unless there might be some other persons that might interpose between me and the House of Commons, who then had the power, to prevent tumultuary and popular spirits; and it was granted I should name another House. I named it of men that shall meet you wheresoever you go, and shake hands with you; and tell you it is not titles, nor lords, nor party that they value, but a Christian and an English interest! Men of your own rank and quality, who will not only be a balance unto you, but a new force added to you, while you love England and Religion.

Having proceeded upon these terms—and finding such a spirit as is too much predominant, everything being too high or too low; when virtue, honesty, piety and justice are omitted—I thought I had been doing that which was my duty, and thought it would have satisfied you! But if everything must be too high or too low, you are not to be satisfied. And I pray God misery be not found from the Lord—I hope it will never be found from me—a more necessary teacher than mercy. When I speak of mercy, I speak of the mercy that cometh from God to you. I take not

myself to be able to dispense it as I would, but I say I did choose such a House as I thought I might answer for, upon my life, that they would be true to those ends and those things that were the ground and state of our war with the Cavalier party all along. And what will satisfy if this will not?

Again, I would not have accepted of the government unless I knew there would be a just accord between the governor and the governed; unless they would take an oath to make good what the Parliament's Petition and Advice advised me unto! Upon that I took an oath, and they took another oath upon their part answerable to mine; and did not everyone know upon what condition they swore? God knows, *I* took it upon the conditions expressed in the Government. And I did think we had been upon a foundation, and upon a bottom; and thereupon I thought myself bound to take it, and to be advised by the two Houses of Parliament. And we standing unsettled till we were arrived at that, the consequences would necessarily have been confusion if that had not been settled. Yet there are not constituted hereditary lords, nor hereditary kings; the power consisting in the two Houses and myself. I do not say that was the meaning of your oath to *you*. That were to go against my own principles, to enter upon another man's conscience. God will judge between you and me! If there had been in you any intention of settlement, you would have settled upon this basis, and have offered your judgment and opinion when you had pleased.

God is my witness; I speak it; it is evident to all the world and people living—that a new business hath been seeking in the Army against the actual settlement made by your consent. I do not speak to these gentlemen, or lords, whatsoever you will call them; I speak not this to them, but to *you*—you advised me to come into this place, to be in a capacity by your Advice. Yet instead of owning a thing taken for granted, some must have—I know not what. And you have not only disjointed yourselves but the whole nation, which is in likelihood of running into more confusion in these fifteen or sixteen days that you have sat, than it hath been from the rising of the last session to this day. Through the intention of revising a Commonwealth again! That some of the people might be the men that rule all! And they are endeavoring to

engage the Army to carry that thing. And hath that man been true to this nation, whosoever he be, especially that hath taken an oath, thus to prevaricate? These designs have been among the Army, to break and divide us. I speak this in the presence of some of the Army: that these things have not been according to God, nor according to truth, pretend what you will! These things tend to nothing else but the playing the King of Scots' game (if I may so call him); and I think myself bound before God to do what I can to prevent it.

That which I told you in the Banqueting House was true: that there were preparations of force to invade us. God is my witness, it hath been confirmed to me since, within a day, that the King of Scots hath an army at the water-side, ready to be shipped for England. I have it from those who have been eyewitnesses of it. And while it is doing, there are endeavors from some who are not far from this place, to stir up the people of this town into a tumulting—what if I said, into a rebellion! And I hope I shall make it appear to be no better, if God assist me.

It hath been not only your endeavor to pervert the Army while you have been sitting, and to draw them to state the question about a Commonwealth; but some of you have been enlisting of persons, by commission of Charles Stuart, to join with any insurrection that may be made. And what is like to come upon this, the enemy being ready to invade us, but even present blood and confusion? And if this be so, I do assign it to this cause: your not assenting to what you did invite me to by the Petition and Advice, as that which might be the settlement of the nation. And if this be the aim of your sitting, and this your carriage, I think it high time than an end be put to your sitting. And *I do dissolve this Parliament!* And let God be judge between you and me!

9. A DISILLUSIONED PURITAN VIEW

In the interim Cromwell and his army grew wanton with their power and invented a thousand tricks of government, which, when nobody opposed, they themselves fell to dislike and vary every day. First he calls a parliament out of his own pocket, himself naming a sort of godly men for every county, who meeting and not agreeing, a part of them in the name of the people give

up the sovereignty to him. Shortly after he makes up several sorts of mock parliaments, but not finding one of them absolutely for his turn, turned them off again. He soon quitted himself of his triumvirs, and first thrust out Harrison, then took away Lambert's commission, and would have been king but for fear of quitting his generalship. He weeded, in a few months' time, above a hundred and fifty godly officers out of the army, with whom many of the religious soldiers went off, and in their room abundance of the king's dissolute soldiers were entertained, and the army was almost changed from that godly religious army whose valor God had crowned with triumph, into the dissolute army they had beaten, bearing yet a better name.

His wife and children were setting up for a principality, which suited no better with any of them than scarlet on the ape; only to speak the truth of himself, he had much natural greatness and well became the place he had usurped. His daughter Fleetwood was humbled, and not exalted with these things, but the rest were insolent fools. Claypool, who married his daughter, and his son Henry, were two debauched ungodly cavaliers. Richard was a peasant in his nature, yet gentle and virtuous, but became not greatness. His court was full of sin and vanity, and the more abominable because they had not yet quite cast away the name of God, but profaned it by taking it in vain upon them. True religion was now almost lost, even among the religious party, and hypocrisy became an epidemical disease, to the sad grief of Colonel Hutchinson and all true-hearted Christians and Englishmen. Almost all the ministers everywhere fell in and worshipped this beast, and courted and made addresses to him. So did the City of London, and many of the degenerate lords of the land, with the poor-spirited gentry. The cavaliers in policy, who saw that while Cromwell reduced all the exercise of tyrannical power under another name there was a door opened for the restoring of their party, fell much in with Cromwell and heightened all his disorders. He at last exercised such an arbitrary power that the whole land grew weary of him, while he set up a company of silly mean fellows, called major-generals, as governors in every county. These ruled according to their wills, by no law but what seemed good in their own eyes, imprisoning men, obstructing the

course of justice between man and man, perverting right through partiality, acquitting some that were guilty and punishing some that were innocent. Then he exercised another project to raise money, by decimation of the estates of all the king's party, of which actions 'tis said Lambert was the instigator. At last he took upon him to make lords and knights, and wanted not many fools, both of the army and gentry, to accept of and strut in his mock titles. Then the Earl of Warwick's child and the Lord Falconbridge married his two daughters; such pitiful slaves were the nobles of those days. At last Lambert, perceiving himself to have been all this while deluded with hopes and promises of succession, and seeing that Cromwell now intended to confirm the government in his own family, fell off from him, but behaved himself very pitifully and meanly, was turned out of all his places, and returned again to plot new vengeance at his house at Wimbledon, where he fell to dress his flowers in his garden, and work at the needle with his wife and his maids, while he was watching an opportunity to serve again his ambition, which had this difference from the Protector's: the one was gallant and great, the other had nothing but an unworthy pride, most insolent in prosperity and as abject and base in adversity.

The cavaliers, seeing their victors thus beyond their hopes falling into their hands, had not patience to stay till things ripened of themselves, but were every day forming designs and plotting for the murder of Cromwell, and other insurrections, which being contrived in drink and managed by false and cowardly fellows, were still revealed to Cromwell, who had most excellent intelligence of all things that passed, even in the king's closet. And by these unsuccessful plots they were the only obstructors of what they sought to advance, while—to speak the truth—Cromwell's personal courage and magnanimity upheld him against all enemies and malcontents. His own army disliked him, and once when sevenscore officers had combined to cross him in something he was pursuing, and engaged one to another, Lambert being the chief, with solemn promises and invocations to God, the Protector hearing of it overawed them all, and told them it was not they who upheld him, but he them; and rated them, and made them understand what pitiful fellows they were.

Whereupon they all, like rated dogs, clapped their tails between their legs and begged his pardon, and left Lambert to fall alone, none daring to own him publicly, though many in their hearts wished him the sovereignty.

Lucy Hutchinson, *Memoirs of the Life of Colonel Hutchinson*

10. LIFE UNDER THE COMMONWEALTH AND PROTECTORATE

The Diary of John Evelyn
1649

January 17th: To London. I heard the rebel Peters incite the rebel powers met in the Painted Chamber to destroy his Majesty, and saw that arch-traitor Bradshaw, who not long after condemned him.

January 21st: Was published my translation of *Liberty and Servitude*, for the Preface of which I was severely threatened.

The villany of the rebels proceeding now so far as to try, condemn, and murder our excellent King, the 30th of this month, struck me with such horror that I kept the day of his Martyrdom a fast, and would not be present at that execrable wickedness; receiving that sad account of it from my brother George, and also by Mr. Owen, who came to visit this afternoon, recounting to me all circumstances.

From 12 July 1649 until 22 June 1650 Evelyn was in France. On 13 August he returned to France, and remained until 28 January 1652.

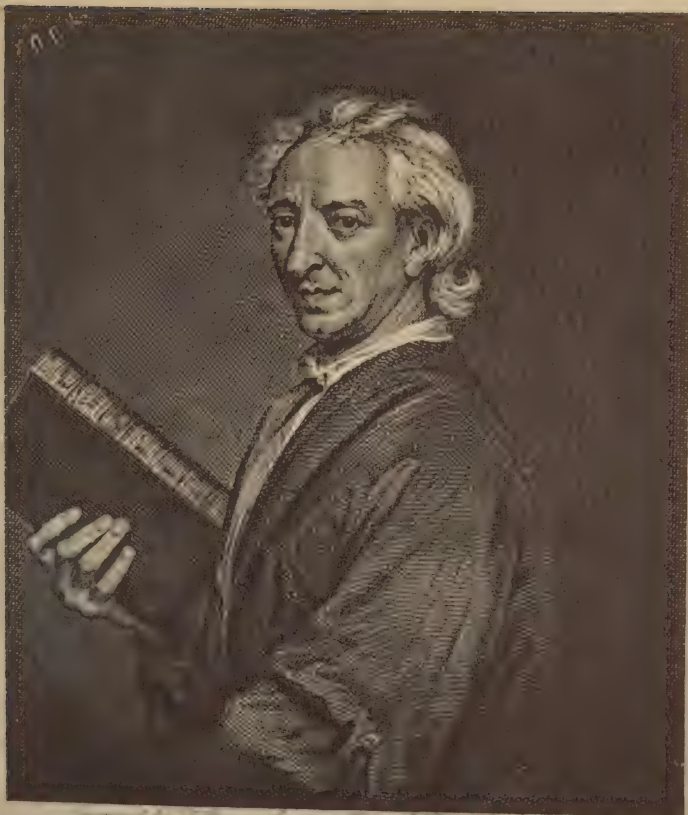
1652

February 6th: This day I saw the magnificent funeral of that arch-rebel Ireton, carried in pomp from Somerset House to Westminster, accompanied with divers regiments of soldiers, horse and foot; then marched the mourners: General Cromwell (his father-in-law), his mock-Parliament men, officers, and forty poor men in gowns, three led horses in houses of black cloth, two horses led in black velvet, and his charging-horse all covered over with em-

broidery and gold on crimson velvet. Then the guidons, ensigns, 4 heralds, carrying the arms of the State (as they called it), namely, the red cross, and Ireland, with the casque, wreath, sword, spurs &c. Next a chariot canopied, all of black velvet, and 6 horses; in this the corpse, the pall held up by the mourners on foot. The mace and sword, with other marks of his charge in Ireland (where he died of the plague), carried before in black scarfs. Thus in a grave pace, drums covered with cloth, soldiers reversing their arms, they proceeded through the streets in a very solemn manner. This Ireton was a stout rebel and had been very bloody to the King's party—witness his severity at Colchester, when in cold blood he put those gallant gentlemen Sir Charles Lucas and George Lisle to death.

February 10th: I went to Deptford, where having pretty well settled my business in London I made preparation for my settlement, no more intending to go out of England, but endeavor a settled life, either in this place or some other, there being now so little appearance of any change for the better, all being entirely in the rebels' hands. And this particular habitation, and the estate contiguous to it (belonging to my father-in-law, actually in his Majesty's service) very much suffering for want of some friend to rescue it out of the power of the usurpers, so as to preserve our interest, and to take some care of my other concerns, by the advice and favor of my friends I was advised to reside in it and compound with the soldiers; being besides authorized by his Majesty to do so, and encouraged with a promise that what was by lease from the Crown (if ever it pleased God to restore him) he would secure to us in fee-ferme. I had also addresses and ciphers to correspond with his Majesty and ministers abroad. Upon all which inducements, I was persuaded to settle henceforth in England, having now run about the world, most part out of my own country, near ten years. I therefore now likewise meditated of sending over for my wife, whom as yet I had left at Paris.

February 15th: I went to Lewisham, where I heard an honest sermon on 2 *Cor.* 5.7, showing that the universal practice of the Church was the surest interpreter of Holy Scripture. This was the first Sunday I had been at church since my return, it being



engraved by J. Smith from an original picture by Sir J. Smith

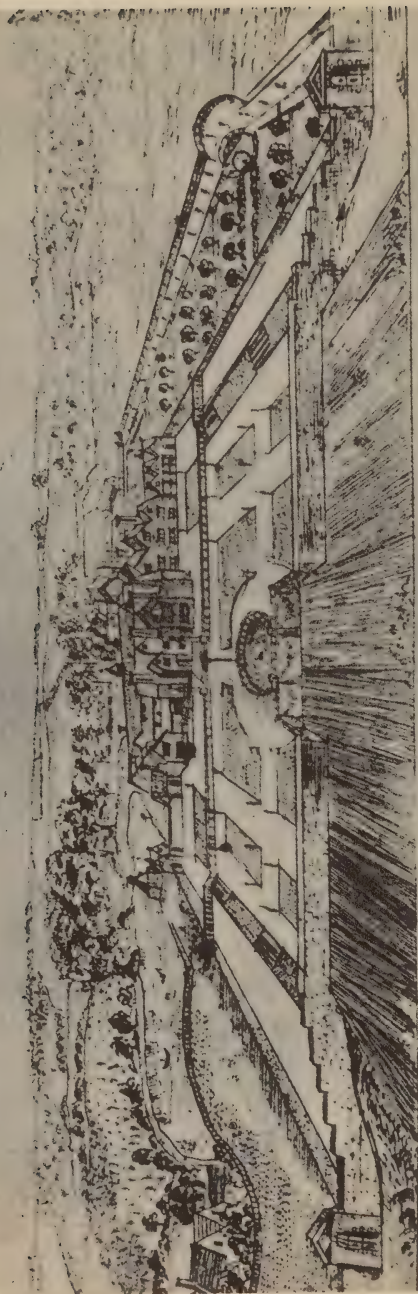
JOHN EVELYN, ESQ.

My Ld,

Your L^ds most humble.
most obedient & most
Obliged Servant

Wilson.

Wilson 14 July 1704



Wotton in Surrey
 The house of Geo. Evelyn Esq:
 taken in perspective from
 the top of the Grotto by
 Geo. Evelyn 1659

now a very rare thing to find a priest of the Church of England in a parish pulpit, most of them filled with Independents and Fanatics.

I saw the *Diamond* and *Ruby* launched in the dock at Deptford, carrying 48 brass cannon each. Cromwell and his grandees present, with great acclamations.

February 22nd: I went with my brother Evelyn to Wotton, to give him what directions I was able about his garden, which he was now desirous to put into some form; but for which he was to remove a mountain, that was overgrown with huge trees and thicket, with a moat, within ten yards of the very house. This my brother immediately attempted, and that without great cost, for more than a hundred yards south, by digging down the mountain and flinging it into a rapid stream, which not only carried the land &c away, but filled up the moat and levelled that noble area where now the garden and fountain is.

March 5th: Came my brother George to visit me; brought Cromwell's Act of Oblivion to all that would submit to the government; returned that evening.

March 29th: Was that celebrated eclipse of the sun, so much threatened by the astrologers, and had so exceedingly alarmed the whole nation, so as hardly any would work, none stir out of their houses, so ridiculously were they abused by knavish and ignorant star-gazers.

March 30th: Came my brother George and brother Richard with his wife to dine with me, and my little nephew George Evelyn brought to abide some time with me, if possible to reclaim him of his fondness to home, where he miserably lost his time. We went this afternoon to see the Queen's House at Greenwich, now given by the rebels to Bulstrode Whitlock, one of their unhappy counsellors, keeper of pretended liberties.

April 9th: I went again to London; and next day, passing by Smithfield, there was a miserable creature burning, who had murdered her husband.

June 24th: The morning growing excessively hot, I sent my footman some hours before and so rode negligently, under favor of the shade, 'til being now come to within three miles of Bromley, at a place called the Procession Oak, started out two cut-throats;

and striking with their long staves at the horse, taking hold of the reins, threw me down and immediately took my sword and hauled me into a deep thicket, some quarter of a mile from the high-way, where they might securely rob me, as they soon did. What they got of money was not considerable, but they took two rings, the one an emerald with diamonds, an onyx, and a pair of buckles set with rubies and diamonds which were of value. And after all, barbarously bound my hands behind me, and my feet, having before pulled off my boots; and then set me up against an oak, with most bloody threatenings to cut my throat if I offered to cry out or make any noise, for that they should be within hearing, I not being the person they looked for. I told them, if they had not basely surprised me they should not have made so easy a prize, and that it should teach me hereafter never to ride near a hedge, since had I been in the mid way they durst not have adventured on me. At which they cocked their pistols and told me they had long guns too, and were fourteen companions—which all were lies. I begged for my onyx and told them it being engraven with my armes would betray them, but nothing prevailed. My horse's bridle they slipped, and searched the saddle which they likewise pulled off, but left the horse alone to graze, and then turning again bridled him and tied him to a tree, yet so as he might graze, and so left me bound. The reason they took not my horse was, I suppose, because he was marked and cropped on both ears, and well known on that road, and these rogues were lusty foot padders, as they are called.

Well, being left in this manner, grievously was I tormented with the flies, the ants, and the sun, so as I sweated intolerably, nor little was my anxiety how I should get loose in that solitary place, where I could neither hear or see any creature but my poor horse and a few sheep straggling in the copse. 'Til after near two hours attempting I got my hands to turn palm to palm, whereas before they were tied back to back, and then I stuck a great while ere I could slip the cord over my wrist to my thumb, which at last I did, and then being quite loose unbound my feet, and so saddling my horse and roaming awhile about, I at last perceived a dust to rise and soon after heard the rattling of a cart, towards which I made. And by the help of two country fellows

that were driving it, got down a steep bank into the highway again; but could hear nothing of the villains. So I rode to Colonel Blount's, a great justiciary of the times, who sent out hue and cry immediately.

June 25th: The next morning, weary and sore as I was at my wrists and arms, I went from Deptford to London, got 500 tickets printed and dispersed by an officer of Goldsmith's Hall, describing what I had lost. And within two days after had tidings of all I lost, except my sword which was a silver hilt, and some other trifles. These rogues had pawned my rings &c for a trifle to a goldsmith's servant, before the tickets came to the shop, by which means they escaped. The other ring was bought by a victualer, who brought it to a goldsmith, that having seen the ticket seized upon him; but whom I afterwards discharged upon the mediation of friends and protestation of his innocence. . . .

There fell this 25th day (after a drought of near four months) so violent a tempest of hail, rain, and wind, thunder and lightning, as no man alive had seen the like in this age. The hail, being in some places 4 and 5 inches about, broke all the glass about London, especially at Deptford, and more at Greenwich, where Sir Thomas Stafford, Vice-Chamberlain to the Queen, affirmed some had the shape of crowns, others the Order of the Garter about them; but these were fancies. It was certainly a very prodigious storm.

July 10th: I had news of the taking of one of the knaves who robbed me, and was summoned to appear against him. So as on the 12th I was in Westminster Hall, but not being bound over (nor willing to hang the fellow) I did not appear, coming only to save a friend's bail who appeared for me. However, the man being found guilty was turned over to the Old Bailey.

December 25th: Christmas Day no sermon anywhere, so observed it at home; the next day we went to Lewisham, where was an honest divine preached on 21 *Matt.* 9, celebrating the Incarnation, for on the day before no churches were permitted to meet &c. To that horrid pass were they come.

1653

January 30th: At our own parish church a stranger preached on 1 *Apoc.* 5.6, describing the great benefits done us by our blessed

Lord. Note, that there was now and then an honest orthodox man gotten into the pulpit; and though the present incumbent were somewhat Independent, yet he ordinarily preached sound doctrine and was a peaceable man, which was an extraordinary felicity in this age.

February 1st: Old Alexander Rosse (author of *Virgilius Evangelizans* & many other little books) presented me with his book against Mr. Hobbes's *Leviathan*.

April 11th: I went to take the air in Hyde Park, where every coach was made to pay a shilling & horse sixpence by the sordid fellow who had purchased it of the State, as they were called. Collationed at Spring Garden, returning back met the Portugal Ambassador in a glorious chariot.

July 29th: Monsieur Roussel sent me a small phial of his *Aurum potabile*, with a letter showing the way of administering it, and the stupendous cures it had done at Paris; but ere it came to me, by what accident I know not, it was all of it run out.

August 13th: I first began a course of yearly washing my head with warm water, mingled with a decoction of sweet herbs, and immediately with cold spring water, which much refreshed me and succeeded very well with me divers years.

October 28th: I went to London to visit my Lady Gerard, where I saw that cursed woman called the Lady Norton, of whom it was reported that she spit in our King's face as he went to the scaffold; indeed her talk and discourse was like an impudent woman.

December 4th: 'Til now I had met with no fanatical preachers, but going this day to our church I was surprised to see a tradesman, a mechanic, step up. I was resolved yet to stay and see what he would make of it. His text was 2 *Sam.* 23.20: "and Benaiah son of Jehoiada went down also and slew a lion in the midst of a pit, in the time of snow." That no danger was to be thought difficult when God called for shedding of blood; inferring that now the Saints were called to destroy temporal governments, with such truculent, anabaptistical stuff. So dangerous a crisis were things grown to.

1654

February 8th: In contradiction to all custom and decency, the

usurper Cromwell feasted at the Lord Mayor's on Ash Wednesday, riding in triumph through the City.

February 13th: My brother Richard paid me 1000 pounds, which I went to London to receive. Returned the next day, when I saw a tame lion play familiarly with a lamb. The lion was a huge beast; I thrust my hand into his mouth and felt his tongue, rough like a cat's. A sheep also that had six legs and made use of five of them to walk. A goose that had four legs, two crops, and as many vents, voiding excrement by both, which was strange.

May 10th: My Lady Gerard treated us at Mulberry Garden, now the only place of refreshment about the town for persons of the best quality to be exceedingly cheated at, Cromwell and his partisans having shut up and seized on Spring Gardens, which 'til now had been the usual rendezvous for the ladies and gallants at this season.

May 11th: I now observed how the women began to paint themselves, formerly a most ignominious thing, and used only by prostitutes.

July 10th: [At Oxford] On Monday I went again to the schools to hear the several faculties, and in the afternoon tarried out the whole act in St. Mary's: the long speeches of the Proctors, the Vice Chancellor's, the several professors', creation of Doctors by the cap, ring, kiss &c; those ceremonies not as yet wholly abolished, but retaining the ancient ceremonies and institution. Dr. Kendall (now Inceptor amongst others) performing his act incomparably well, concluded it with an excellent oration, abating his Prebysterian animosity, which he withheld not even against that learned and pious divine Dr. Hammond.

July 11th: was the Latin sermon, which I could not be at, being taken up at All Souls, where we had music, voices and theorbes performed by some ingenious scholars, where after dinner I visited that miracle of a youth Mr. Christopher Wren, nephew to the Bishop of Ely. Then Mr. Barlow (since Bishop of Lincoln), librarian of the Bodleian Library, my most learned friend, who showed me together with my wife the rarities of that famous place, manuscripts, medals and other curiosities. Amongst the MSS an old English Bible wherein the eunuch mentioned to be baptized by Philip is called the "gelding" . . . ; also the original Acta of the Council of Basel, 900 years since, with the *bullæ* or leaden affix,

which has a silken cord passing through every parchment; likewise a ms. of Venerable Bede's of 800 years antiquity; together with the old *Ritual secundum Usum Sarum*, exceeding voluminous. Then amongst the nicer curiosities: The Proverbs of Solomon written in French by a lady, every chapter of a several character or hand, the most exquisitely imaginable; an hieroglyphic table, or carta, folded up like a map, I suppose it painted on asses hide, extremely rare; but what is most illustrious were the no less than 1000 mss. in 19 languages, especially Oriental, furnishing that new part of the library built by Archbishop Laud. . . . In the Closet of the Tower they show Joseph's parti-colored coat; a Muscovian lady's whip; some Indian weapons, urns, lamps, &c; but the rarest is the whole *Al Koran* written in one large sheet of calico, which is made up in a priest's vesture or cape after the Turkish style, and the Arabic character so exquisitely written as no printed letter comes near it. Also a roll of magical charms or *periapta*, divers talismans, some medals. Then I led my wife into the Convocation house, finely wainscoted; the Divinity School and Gothic carved roof; the Physic or Anatomy School, adorned with some rarities of natural things, but nothing extraordinary save the skin of a jackal, a rarely colored jacatroo, or prodigious large parrot, two humming birds not much bigger than our bumble bee—which indeed I had not seen before that I remember.

July 13th: We all dined at that most obliging and universally curious Dr. Wilkins's, at Wadham, who was the first who showed me the transparent apiaries which he had built like castles and palaces, and so ordered them one upon another as to take the honey without destroying the bees. These were adorned with variety of dials, little statues, vanes &c, very ornamental. And he was so abundantly civil as, finding me pleased with them, to present me one of these hives, which he had emptied, and which afterwards I had in my garden at Sayes Court many years after; and which his Majesty came on purpose to see and contemplate with much satisfaction. He had also contrived a hollow statue which gave a voice and uttered words, by a long and concealed pipe which went to its mouth, whilst one spake through it at a good distance, and which at first was very surprising. He had

above in his gallery and lodgings variety of shadows, dials, perspectives, places to introduce the species, and many other artificial, mathematical, magical curiosities: a way-wiser, a thermometer, a monstrous magnet, conic and other sections, a balance on a demi-circle, most of them his own and that prodigious young scholar Mr. Christopher Wren, who presented me with a piece of white marble he had stained a lively red very deep, as beautiful as if it had been natural. Thus satisfied with the civilities of Oxford.

1655

April 9th: My brother dining with me, we went to see the great ship newly built by the usurper Oliver, carrying 96 brass guns, and of 1000 ton. In the prow was Oliver on horseback trampling six nations underfoot, a Scot, Irishman, Dutch, French, Spaniard and English as was easily made out by their several habits. A Fame held a laurel over his insulting head, and the words "God with us."

July 8th: Afternoon service at Greenwich, a stranger on *22Esa.* 13. In an admirable discourse against carnal security; how unreasonable even lawful and innocent pleasures in times of public calamity (as were now in England, in regard of the sad oppressions, tyrannies, frequent and lamentable fires so frequently happening, and universal neglect of piety, &c.). *July 9th:* To London to finish my mortgage of Lord Stanhope, returned next day.

August 21st: I went to Ryegate to visit Mrs. Cary . . . in an ancient monastery well in repair. . . . Here was now the Archbishop of Armagh, the learned James Usher, whom I went to visit; he received me exceeding kindly. In discourse with him, he told me how great the loss of time was to study much the eastern languages; that excepting Hebrew there was little fruit to be gathered of exceeding labor; that besides some mathematical books, the Arabic itself had little considerable; that the best text was the Hebrew Bible; that the Septuagint was finished in 70 days, but full of errors, about which he was then writing. That St. Jerome's was next the Hebrew to be valued. Also that the 70 translated the Pentateuch only, the rest finished by others. That

the Italians at present understood but little Greek, and Kirker a mountebank. That Mr. Selden's best book was his *Titles of Honor*. That the church would be destroyed by sectaries, who would in all likelihood bring in popery. In conclusion recommended to me the study of philology above all human studies. And so with his blessing I took my leave of this excellent person and returned to Wotton.

September 28: Came that renowned mathematician Mr. Oughtred to see me, I sending my coach to bring him to Wotton, being now very aged. Amongst other discourses, he told me he thought water to be the philosophers' first matter, and that he was well persuaded of the possibility of their elixir. He believed the sun to be a material fire, the moon a continent as appears by the late selenographer. He had strong apprehensions of some extraordinary event to happen the following year from the calculation of coincidence with the diluvian period, and added that it might possibly be to convert the Jews by our Savior's visible appearance, or to judge the world, and therefore his word was *parate in occursum*.

September 17th: Received 2600 pounds for the manor of Warley Magna in Essex, purchased by me some time since. The taxes were so intolerable that they ate up the rents &c., surcharged as that county had been above all others during our unnatural war. *October 21st:* A young stranger preached on 8 *Luke* 18, showing our great concern to take care of what we heard. That the Word was our pardon, our portion, and that by which we should be judged. In the afternoons I frequently stayed at home to catechize and instruct my family, those exercises universally ceasing in the parish churches, so as people had no principles and grew very ignorant of even the common points of Christianity, all devotion now being placed in hearing sermons and discourses of speculative and notional things. And our own vicar very tedious in repeating.

November 27th: To London about Sir Nicholas Crisp's designs of a mole or sasse to be made for ships in part of my grounds. I went to see York House and gardens, belonging to the former great Buckingham, but now much ruined through neglect. Thence to visit honest and learned Mr. Hartlib, a public spirited

and ingenious person, who had propagated many useful things and arts. Told me of the castles which they set for ornament on their stoves in Germany (he himself being a Lithuanian as I remember) which are furnished with small ordinance of silver on the battlements, out of which they discharge excellent perfumes about the rooms, charging them with a little powder to set them on fire and disperse the smoke. And in truth no more than needy, for their stoves are sufficiently nasty. He told me of an ink that would give a dozen copies, moist sheets of paper being pressed on it, and remain perfect. And a receipt how to take off any print without injury to the original in the least. This gentleman was master of innumerable curiosities, and very communicative. I returned home that evening by water, and was afflicted for it with a cold that had almost killed me. This day came there also forth the Protector's Edict or Proclamation, prohibiting all ministers of the Church of England from preaching, or teach any schools, in which he imitated the apostate Julian with the decimation of all the royal party's revenues throughout England.

December 30th: I went to London, where Dr. Wild (at St. Gregory's) preached the funeral sermon of preaching, this being the last day, after which Cromwell's Proclamation was to take place, that none of the Church of England should dare either to preach, administer sacraments, teach school, &c., on pain of imprisonment or exile. So this was the mournfullest day that in my life I had seen, or the Church of England herself, since the Reformation, to the great rejoicing of both papist and presbyter. The text was 2 *Cor.* 13. 9: That however persecution dealt with the ministers of God's word, they were still to pray for the flock, and wish their perfection, as it was the flock's duty to pray for and assist their pastors, by the example of St. Paul &c. So pathetic was his discourse, as drew many tears from the auditory. . . . The Lord Jesus Christ pity our distressed Church, and bring back the captivity of Zion.

1656

January 10th: I heard Dr. Wilkins preach in St. Paul's before the Lord Mayor, showing how obedience was preferable to sacrifice

&c. He was a most obliging person, but had married the Protector's sister, to preserve the universities from the ignorant sacrilegious commander and soldiers, who would fain have been at demolishing all both places and persons that pretended to learning.

March 4th: This night I was invited by Mr. Roger L'Estrange to hear the incomparable Lubicer on the violin, his variety upon a few notes and plain ground with that wonderful dexterity, as was admirable, and though a very young man, yet so perfect and skillful as there was nothing so cross and perplexed which, being by our artists brought to him, he did not at first sight, with ravishing sweetness and improvements, play off to the astonishment of our best masters. In sum, he played on that single instrument a full concert, so as the rest flung down their instruments, as acknowledging a victory. As to my own particular, I stand to this hour amazed that God should give so great perfection to so young a person.

July 9th: At Ipswich I had the curiosity to visit some Quakers there in prison. A new fanatic sect of dangerous principles, they show no respect to any man, magistrate or other, and seem a melancholy, proud sort of people, and exceedingly ignorant. One of these was said to have fasted 20 days, but another endeavoring to do the like perished the 10th, when he would have eaten but could not.

August 20th: Was a confused election of Parliament called by the usurper.

September 14th: Now was old Sir Henry Vane sent to Carisbrooke Castle in Wight for a foolish book he published. The Protector fortifying himself exceedingly, and sending many to prison.

November 30th: An accident kept me at home from church. Now indeed that I went at all to church whilst these usurpers possessed the pulpit was that I might not be suspected for a papist, and that though the minister were Presbyterianly affected, yet he was as I understood duly ordained, and preached sound doctrine after their way, and besides was a humble, harmless and peaceable man.

1657

March 29th: The Protector Oliver, now affecting king-ship, is

petitioned to take the Title on him, by all his new-made sycophant Lords &c. But dares not for fear of the fanatics, not thoroughly purged out of his rebel army.

April 21st: I went to London to consult Dr. Bate about taking preventive physic. Thence to visit my Lord Hatton, with whom I dined. At my return I stepped into Bedlam, where I saw nothing extraordinary, besides some miserable poor creatures in chains; one was mad with making verses. And also visited the Charterhouse, formerly belonging to the Carthusians; now an old, neat, fresh, solitary college for decayed gentlemen. It has a grove, bowling green, garden, chapel, hall &c where they eat in common. I likewise saw Christ Church and Hospital, in great order, for the bringing up many hundreds of poor children of both sexes, and is an exemplary charity.

June 18th: I saw at Greenwich a sort of cat brought from the East Indies, shaped and snouted much like the Egyptian ratoone, in the body like a monkey, and so footed. The ears and tail like a cat, only the tail much longer and the skin curiously ringed with black and white. With this tail it wound up its body like a serpent, and so got up into trees, and with it would also wrap its whole body round. It was of a woolly hair as a lamb, exceedingly nimble, and purred as does the cat.

August 6th: I went to see Colonel Blount who showed me the application of the Way-Wiser to a coach, exactly measuring the miles and showing it by an index as one rode along. It has three circles, one pointed to the number of rods, the other to the miles by 10, to 1000, with all the subdivisions of quarters &c. Very pretty and very useful.

Our vicar on 18 *Joh.* 36, declaiming at the folly of a sort of enthusiasts and desparate zealots called the Fifth-Monarchy Men, pretending to set up the Kingdom of Christ with the sword. To this pass was this age arrived, when we had no king in Israel.

September 15th: Going to London with some company who would needs step in to see a famous rope dancer called The Turk, I saw even to astonishment the agilities he performed. One was his walking bare-foot and taking hold by his toes only of a rope almost perpendicular, and without so much as touching it with his hands. Also dancing blindfold on the high-rope, and with a boy twelve years old tied to one of his feet about twenty

feet beneath him dangling as he danced, and yet moved as nimbly as it had been but a feather. Lastly he stood on his head upon the very top of a very high mast, danced on a small rope that was very slack, and finally flew down the perpendicular with his head forward on his breast, his legs and arms extended, with divers other activities, to the admiration of all the spectators. I saw also the hairy maid, or woman, whom twenty years before I had also seen when a child. Her very eyebrows were combed upward, and all her forehead as thick and even as grows on any woman's head, neatly dressed. There came also two locks very long out of each ear; she had also a most prolix beard and mustachios, with long locks of hair growing on the very middle of her nose, exactly like an Island dog. The rest of her body not so hairy, yet exceeding long in comparison, arms, neck, breast and back; the color of a bright brown, and fine as well dressed flax. She was now married, and told me she had one child, that was not hairy; nor were any of her parents or relations. She was born at Augsburg in Germany, and for the rest very well shaped, played well on the harpsichord &c. I returned home.

September 22nd: To London to visit the Holland ambassador, with whom I had now contracted much friendly correspondence useful to the intelligence I constantly gave his Majesty abroad. Returning, I saw at Dr. Joyliffe's two Virginian rattle-snakes alive; they exceeded a yard in length, small heads and slender tails, but as big as my leg in the middle. When vexed or provoked, swiftly vibrating and shaking their tails they rattled as loud as a child's rattle, or as if one heard a jack going. And this by the collision (or attrition) of certain gristly skins curiously jointed, yet loose, like the vetebra or back bone, and transparent as parchment, by which they give warning, a providential caution for other creatures to avoid them. They leap cruelly. The doctor tried their biting on rats and mice, which they immediately killed. But their vigor must needs be much exhausted here, where they had nothing to eat and were in another climate, kept only in a barrel of bran &c.

November 26th: I went to London to a Court of the East India Company, upon its new union, where there was much disorder by reason of the Anabaptists, who would have the adventurers obliged only by an engagement, without swearing, in order that

they might still pursue their former trade. But it was carried against them, and agreed that Wednesday should be a General Court for election of officers. After sermon and prayers for good success, the stock resolved on was 800,000 pounds.

27th: I took the oath at the East India House, subscribing 500 pounds.

December 25th: I went with my wife &c to London to celebrate Christmas Day. Mr. Gunning preaching in Exeter Chapel on 7 *Micha.* 2. Sermon ended, as he was giving us the holy Sacrament the Chapel was surrounded with soldiers, all the communicants and assembly surprised and kept prisoners by them, some in the house, others carried away. It fell my share to be confined to a room in the house, where yet were permitted to dine with the master of it, the Countess of Dorset, Lady Hatton and some others of quality who invited me. In the afternoon came Colonel Whalley, Goffe and others from Whitehall to examine us one by one; and some they committed to the Martial, some to prison, some committed. When I came before them they took my name and abode, examined me why contrary to an ordinance made that none should any longer observe the superstitious time of the Nativity (so esteemed by them) I durst offend, and particularly be at Common prayers, which they told me was but the Mass in English, and particularly pray for Charles Stuart, for which we had no Scripture. I told them we did not pray for Charles Stuart but for all Christian kings, princes and governors. They replied, in so doing we prayed for the King of Spain too, who was their enemy and a papist, with other frivolous and ensnaring questions, with much threatening. And finding no color to detain me longer, with much pity of my ignorance they dismissed me. These were men of high flight and above ordinances, and spake spiteful things of our blessed Lord's nativity. So I got home late the next day, blessed be God. These wretched miscreants held their muskets against us as we came up to receive the Sacred Elements, as if they would have shot us at the altar, but yet suffering us to finish the office of Communion, as perhaps not in their instructions what they should do in case they found us in that action.

1658

January 27th: After six fits of a quartan ague, it pleased God to

visit my dear child Dick with fits so extreme, especially one of his sides, that after the rigor was over and he in his hot fit, he fell into so great and intolerable a sweat that being surprised with the abundance of vapors ascending to his head, he fell into such fatal symptoms as all the help at hand was not able to recover his spirits, so as after a long and painful conflict, falling to sleep as we thought, and covered too warm (though in midst of a severe frosty season) and by a great fire in the room, he plainly expired, to our unexpressable grief and affliction. We sent for physicians to London whilst there was yet life in him, but the river was frozen up and the coach broke by the way ere it got a mile from the house; so as all artificial help failing, and his natural strength exhausted, we lost the prettiest and dearest child that ever parents had, being but five years and three days old in years, but even at that tender age a prodigy for wit and understanding, for beauty of body a very angel, and for endowments of mind of incredible and rare hopes.

To give only a little taste of some of them, and thereby glory to God (who out of the mouths of babes and infants does sometimes perfect His praises): at two years and a half old he could perfectly read any of the English, Latin, French or Gothic letters, pronouncing the first three languages exactly. He had before the fifth year or in that year not only skill to read most written hands, but to decline all the nouns, conjugate the verbs regular, and most of the irregular; learned out *Puerilis*, got by heart almost the entire vocabulary of Latin and French primitives and words, could make congruous syntax, turn English into Latin and *vice versa*, construe and prove what he read and did; the government and use of relatives, verbs transitive, substantives, etc.; ellipses and many figures and tropes; and made a considerable progress in Comenius's *Janua*; began himself to write legibly, and had a strange passion for Greek. The number of verses he could recite was prodigious, and what he remembered of the parts of plays, which he would also act. When seeing a Plautus in one's hand, he asked what book it was, and being told it was comedy and too difficult for him, he wept for sorrow. Strange was his apt and ingenious application of fables and morals, for he had read Aesop. He had a wonderful disposition to mathematics, having by heart

divers propositions of Euclid that were read to him in play; and he would make lines and demonstrate them.

As to his piety, astonishing were his applications of Scripture upon occasion, and his sense of God. He had learned all his Catechism early and understood the historical part of the Bible and New Testament to a wonder, and how Christ came to redeem mankind, etc.; and how comprehending these necessities himself, his God-fathers were discharged of their promise. These and the like illuminations, far exceeding his age and experience, considering the prettiness of his address and behavior, cannot but leave impressions in me at the memory of him. When one told him how many days a certain Quaker had fasted in Colchester, he replied, that was no wonder for Christ had said that man should not live by bread alone, but by the word of God. He would of himself select the most pathological Psalms and chapters out of Job to read to his maid during his sickness, telling her (when she pitied him) that all God's Children must suffer affliction. He declaimed against the vanities of the world before he had seen any. Often he would desire those who came to see him to pray by him, and before he fell sick a year, to kneel and pray with him alone in some corner. How thankfully would he receive admonition, how soon be reconciled! How indifferent, continually cheerful. Grave advice would he be giving his brother John, bear with his impertinences and say he was but a child.* If he heard of or saw any new thing, he was unquiet until he was told how it was made, and brought us all difficulties that he found in books, to be expounded. He had learned by heart divers sentences in Latin and Greek, which on occasion he would produce even to wonder. In a word, he was all life, all prettiness, far from morose, sullen, or childish in anything he said or did. The last time he had been at church (which was at Greenwich), according to custom I asked him what he remembered of the sermon. "Two good things, Father," replies he, "*Bonum gratiae* and *Bonum Glorise*," with a just account of what the preacher said.

The day before he died, he called to me and in a more serious manner than usually told me that for all I loved him so dearly, I

*John Evelyn (1655-99) was two-and-a-half years younger than young Richard.

would give my house, land and all my fine things to his brother Jack, he should have none of them. And next morning when first he found himself ill, and I persuaded him to keep his hands in bed, he demanded whether he might pray to God with his hands unjoined; and a little after, whilst in great agony, whether he should not offend God by using His holy name so oft, calling for ease. What shall I say of his frequent pathological ejaculations, uttered of himself: sweet Jesus, save me, deliver me, pardon my sins, let Thine angels receive me, etc.—so early knowledge, so much piety and perfection. But God having dressed up a saint fit for himself, would not permit him longer with us, unworthy of the future fruits of this incomparable hopeful blossom. Such a child I never saw. For such a child I bless God, in whose bosom he is. May I and mine become as this little child, which now follows the child Jesus, that Lamb of God, in a white robe whithersoever he goes. Even so Lord Jesus, *fiat voluntas tua*; Thou gavest him to us, Thou hast taken him from us, blessed be the name of the Lord. That I had any thing acceptable to Thee, was from Thy Grace alone, since from me he had nothing but sin. But that Thou hast pardoned, blessed be my God for ever. Amen.

March 9th: This had been the severest winter that any man alive had known in England. The crows' feet were frozen to their prey. Islands of ice enclosed both fish and fowl frozen, and some persons in their boats.

June 3rd: A large whale taken twixt my land abutting on the Thames and Greenwich, which drew an infinite concourse to see it, by water, horse, coach, on foot from London and all parts. It appeared first below Greenwich at low water, for at high water it would have destroyed all the boats. But lying now in shallow water, encompassed with boats, after a long conflict it was killed with the harping irons and struck in the head, out of which spouted blood and water by two tunnels, like smoke from a chimney. And after a horrid groan it ran quite on shore and died. The length was 58 foot, 16 in height, black-skinned like coach leather, very small eyes, great tail, small fins and but two, a piked snout and a mouth so wide that divers men might have stood upright in it. No teeth at all, but sucked the slime only, as through a grate made of that bone which we call whale-bone.

The throat yet so narrow as would not have admitted the least of fishes.

September 3rd: Died that arch-rebel Oliver Cromwell, called Protector.

November 22nd: To London to visit my brother, and the next day saw the superb funeral of the Protector. He was carried from Somerset House in a velvet bed of state drawn by six horses hounded with the same. The pall was held up by his new Lords. Oliver lying in effigy in royal robes and crowned with a crown, scepter and orb like a king. The pendants and guidons were carried by officers of the army, the imperial banners, achievements, etc., by the heralds in their coats. A richly caparisoned horse, all embroidered over with gold. A knight of honor armed cap-a-pé. And after all, his guards, soldiers and innumerable mourners. In this equipage they proceeded to Westminster with great pomp. But it was the joyfulest funeral that ever I saw, for there was none that cried but dogs, which the soldiers hooted away with a barbarous noise, drinking and taking tobacco in the streets as they went.

VI

The Restoration

THE death of Oliver Cromwell on September 3, 1658—the anniversary of his great victories at Dunbar (1650) and Worcester (1651)—plunged the Protectorate into confusion. Richard Cromwell, who succeeded his father as Lord Protector, proved quite incapable of maintaining the delicate balance between military and civil authority upon which the peace of the realm depended; by April 22, 1659, the fate of “Tumbledown Dick” was sealed and on May 7 he resigned his office. The succeeding months witnessed a protracted and inconclusive struggle between the restored Rump of the Long Parliament and the faction of the army led by General John Lambert. Recognizing that neither of these bodies could in any sense be said to represent the wishes of the people of England, General George Monck led his army down from Scotland to London in February of 1660 and presided over the restoration of the still living members of the Long Parliament who had been excluded by Pride’s Purge in 1648. The result of this addition of a substantial body of conservative, largely Presbyterian members to the legislature was a virtual guarantee that the old monarchical constitution would be reestablished. On May 16 the Long Parliament dissolved itself, calling for the election of a new and truly national representative body. Following Monck’s advice, Charles II issued his conciliatory Declaration of Breda on April 14 [2]; on May 1 the 556 members of the newly-elected Convention Parliament returned a favorable answer, and on May 9 they proclaimed Charles king. The Interregnum of eleven years was ended; indeed, in a sense it had never been, for in good monarchical fashion the parliament

declared that at the moment of his father's death on the scaffold Charles Stuart had become King Charles the Second.

1. THE STATE OF OPINION IN 1659

If we take a view of the several pretensions carried on in the nation apart, we shall find the most considerable to be: the Roman Catholic, the Royalist, the Presbyterian, the Anabaptist, the Army, the Protectorian and that of the Parliament.

1. 'Tis the Roman Catholic's aim not only to abrogate the Penal Laws, and become capable of all employments in the commonwealth, but to introduce his religion, to restore the rights of the Church, and utterly eradicate all that he esteems heresy.

2. 'Tis the Royalist's desire to bring in the King as a conqueror, to recover their losses in the late war, to be rendered capable of civil employments, and have the former government of the church.

3. 'Tis the Presbyterian's desire to set up his discipline, to have the Covenant re-inforced, and only such as take it to be employed in church or state, to be indemnified in reference to what they have done and secured of what they possess.

4. 'Tis the wish of the Baptized Christians that there might be no ecclesiastical government of any kind, nor ministerial function, or provision for it; and that only persons so minded should be capable of employment; likewise indemnified for what they had done.

5. 'Tis the aim of the Army to govern the nation, to keep themselves from being disbanded or engaged in war, to secure their pay, and to be indemnified for all past action.

6. 'Tis the desire of the family of the late Protector to establish the heir of his House, that they may rule him and he the nation, and so both preserve and advance themselves.

7. 'Tis the wish of the present Parliament (as far as they have one common design) to continue themselves in absolute power, by the specious name of a popular government; to new-model and divide and at last take-down the Army; and finally, under the pretense of a Committee of Parliament, or Council of State, set

up an oligarchy resembling that of the Thirty Tyrants in Athens.

Lastly, 'tis the Interest of the Nation to establish the ancient fundamental laws, upon which every one's property and liberty are built, to settle religion, to procure a general indemnity for all actions past, to revive their languishing and almost dead trade, gain an alliance with our neighbor states; to put the government in such hands as, besides present force, can plead a legal title to it—into the hands of such with whose private interest that of the public not only consists, but in which 'tis necessarily involved; which likewise does least contradict the aims of particular parties. Lastly, the hands of such whose counsel is fit to direct in matters of deliberation and courage fit to vindicate the injuries of the nation.

Rev. John Fell, *The Interest of England, or, A faithful and just account of all parties. . . .*

2. THE DECLARATION OF BRED A

(4 April 1660)

Charles, by the grace of God, King of England, Scotland, France and Ireland, Defender of the Faith, &c. To all our loving subjects, of what degree or quality soever, greeting.

If the general distraction and confusion which is spread over the whole kingdom doth not awaken all men to a desire and longing that those wounds which have so many years together been kept bleeding may be bound up, all we can say will be to no purpose. However, after this long silence, we have thought it our duty to declare how much we desire to contribute thereunto; and that as we can never give over the hope, in good time, to obtain the possession of that right which God and nature hath made our due, so we do make it our daily suit to the Divine Providence that He will, in compassion to us and our subjects, after so long misery and sufferings, remit and put us into a quiet and peaceable possession of that our right, with as little blood and damage to our people as is possible; nor do we desire more to enjoy what is ours, than that all our subjects may enjoy what by law is theirs, by a full and entire administration of justice throughout the

land, and by extending our mercy where it is wanted and deserved.

And to the end that the fear of punishment may not engage any, conscious to themselves of what is past, to a perseverance in guilt for the future by opposing the quiet and happiness of their country in the restoration of King, Peers and people to their just, ancient and fundamental rights, we do, by these presents, declare that we do grant a free and general pardon, which we are ready, upon demand, to pass under our Great Seal of England, to all our subjects, of what degree or quality soever, who, within forty days after the publishing hereof, shall lay hold upon this our grace and favor, and shall, by any public act, declare their doing so, and that they return to the loyalty and obedience of good subjects; excepting only such persons as shall hereafter be excepted by Parliament, those only to be excepted. Let all our subjects, how faulty soever, rely upon the word of a King, solemnly given by this present declaration, that no crime whatsoever committed against us or our royal father before the publication of this shall ever rise in judgment, or be brought in question, against any of them, to the least endangerment of them, either in their lives, liberties or estates, or (as far forth as lies in our power) so much as to the prejudice of their reputations by any reproach or term of distinction from the rest of our best subjects; we desiring and ordaining that henceforth all notes of discord, separation and difference of parties be utterly abolished among all our subjects, whom we invite and conjure to a perfect union among themselves, under our protection, for the resettlement of our just rights and theirs in a free Parliament, by which, upon the word of a King, we will be advised

And because the passion and uncharitableness of the times have produced several opinions in religion, by which men are engaged in parties and animosities against each other (which, when they shall hereafter unite in a freedom of conversation, will be composed or better understood), we do declare a liberty to tender consciences, and that no man shall be disquieted or called in question for differences of opinion in matter of religion, which do not disturb the peace of the kingdom; and that we shall be ready to consent to such an Act of Parliament as, upon mature



Maj: General Monck.

From an Original by F. Barlow.

MONCK



JOHN SELDEN,

Born 1584. Died 1654.

SELDEN

deliberation, shall be offered to us for the full granting that indulgence.

And because in the continued distractions of so many years, and so many and great revolutions, many grants and purchases of estates have been made to and by many officers, soldiers and others, who are now possessed of the same, and who may be liable to actions at law upon several titles, we are likewise willing that all such differences, and all things relating to such grants, sales and purchases, shall be determined in Parliament, which can best provide for the just satisfaction of all men who are concerned.

And we do further declare that we will be ready to consent to any Act or Acts of Parliament to the purposes aforesaid, and for the full satisfaction of all arrears due to the officers and soldiers of the army under the command of General Monck; and that they shall be received into our service upon as good pay and conditions as they now enjoy.

Given under our Sign Manual and Privy Signet, at our Court at Breda, this 4th day of April, 1660, in the twelfth year of our reign.

3. THE LAST YEARS OF THE PROTECTORATE— JOHN EVELYN'S DIARY

1659

April 25th: A wonderful and sudden change in the face of the public. The new Protector Richard slighted, several pretenders and parties strive for the government, all anarchy and confusion. Lord have mercy on us.

May 5th: I went to visit my brother, and next day to see a new opera after the Italian way in recitative, music and scenes, much inferior to the Italian composure and magnificence. But what was prodigious was that in time of such a public consternation such a vanity should be kept up or permitted. I being engaged with company could not decently resist going to see it, though my heart smote me for it.

May 29: The nation was now in extreme confusion and unsettled between the armies and the sectaries, and the poor

Church of England breathing as it were her last, so sad a face of things had over-spread us.

September 1st: Came Mr. Robert Boyle (son to the Earl of Cork) to visit me. I communicated to him my proposal to erect a Philosophical Mathematical College, &c.

October 10th: I came with my wife and family to London. Took lodgings at the Three Feathers in Russell Street, Covent Garden, for all the winter. *11th:* Came to visit me Mr. William Coventry, son to Lord Keeper Coventry, a wise and witty gentleman. The Army now turned out the Parliament.

October 16th: We had now no government in the nation, all in confusion; no magistrate either owned or pretended but the soldiers, and they not agreed. God almighty have mercy on and settle us.

November 7th: Was published my bold *Apology* for the King, in this time of danger, when it was capital to speak or write in favor of him. It was twice printed, so universally it took.

November 15th: Dined with the Dutch ambassador. He did in a manner acknowledge that their nation mind only their profit, do nothing out of gratitude, but collaterally, as it relates to their gain or security. For which reason it was they gave aid to the King of Denmark, and that therefore the English were to look for nothing of assistance to the banished king. Which was to me no very grateful discourse, though an ingenuous confession. I went home.

December 10th: I treated privately with Colonel Morley (then Lieutenant of the Tower and in great trust and power) concerning delivering it to the King, and the bringing of him in, to the great hazard of my life. But the Colonel had been my school-fellow and I knew would not betray me.

December 12th: I spent in public concerns for his Majesty, pursuing the point to bring over Colonel Morley and his brother-in-law Fay, Governor of Portsmouth &c.

1660

ANNUS MIRABILIS

January 12th: I wrote to Col. Morley again to declare for his Majesty.

January 22nd: I went this afternoon to visit Col. Morley, then Lieutenant of the Tower of London. In the Chapel a young man preached on 7 *Eccles.* 9: against the passion of Anger very well. After dinner I discoursed the Colonel, but he was very jealous and would not believe Monck came in to do the King any service. I told him he might do it without him and have all the honor. He was still doubtful and would resolve on nothing yet. So I took leave and went home to see a sick person at my house at Sayes Court.

February 3rd: General Monck came now to London out of Scotland, but no man knew what he would do or declare, yet was he met on all his way by the gentlemen of all the counties which he passed, with petitions that he would recall the old long-interrupted Parliament and settle the nation in some order, being at this time in a most prodigious confusion and under no government, everybody expecting what would be next and what he would do.

February 10th: Now were the gates of the city broken down by General Monck, which exceedingly exasperated the city; the soldiers marching up and down as triumphing over it, and all the old army of the fanatics put out of their posts and sent out of town.

February 11th: I visited Mr. Boyle, where I met the Earl of Cork. A signal day; Monck perceiving how infamous and wretched a pack of knaves would have still usurped the supreme power, and having intelligence that they intended to take away his commission, repenting of what he had done to the city, and where he and his forces quartered, marches to Whitehall, dissipates that nest of robbers and convenes the old Parliament, the Rump Parliament (so called as retaining some few rotten members of the other) being dissolved. And for joy whereof were many thousands of rumps roasted publicly in the streets at the bonfires this night, with ringing of bells and universal jubilee. This was the first good omen.

From *February 17th* to the *5th of April* I was detained in bed with a kind of double tertian, the cruel effects of the spleen and other distempers. . . . During this sickness came innumerable of my relations and friends to visit me, and it retarded my going into the country longer than I intended. However I writ and

printed a letter in defense of his Majesty against a wicked forged paper, pretended to be sent from Brussels, to defame his Majesty's person and virtues and render him odious, now when everybody were in hopes and expectation of the General and Parliament's recalling him and establishing the government on its ancient and right basis.

May 3rd: Came the most happy tidings of his Majesty's gracious Declaration and applications to the Parliament, General and people &c, and their dutiful acceptance and acknowledgement, after a most bloody and unreasonable Rebellion of near twenty years. Praised be forever the Lord of heaven, who only doest wondrous things, because thy mercies endure forever.

May 9th: I was desired and designed to accompany my Lord Berkeley with the public Address of the Parliament, General &c., and invite him to come over and assume his kingly government, he being now at Breda. But being yet so weak and convalescent I could not make that journey by sea, which was not a little to my detriment &c. So I went to London to excuse myself, returning the tenth, having yet received a gracious message from his Majesty by Major Scott and Colonel Tuke.

May 24th: Came to me Col. Morley about procuring his pardon, and now too late saw his horrible error and neglect of the counsel I gave him, by which he had certainly done the great work with the same ease that Monck did it, who was then in Scotland, and Morley in a post to have done what he pleased, by which he had made himself the greatest person in England next the King. But his jealousy and fear kept him from that blessing and honor. I addressed him to my Lord Mordaunt, then in great favor, for his pardon, which he obtained at the cost of 1000 pounds, as I heard. Oh, the sottish omission of this gentleman! What did I not undergo of danger in this negotiation, to have brought him over to his Majesty's interest when it was entirely in his hands.

May 29th: This day came in his Majesty Charles the Second to London after a sad and long exile and calamitous suffering both of the King and Church, being seventeen years. This was also his birthday, and with a Triumph of above 20,000 horse and foot, brandishing their swords and shouting with unexpressable joy. The ways strewed with flowers, the bells ringing, the streets hung

with tapestry, fountains running with wine. The Mayor, aldermen, all the companies in their liveries, chains of gold, banners. Lords and nobles, cloth of silver, gold and velvet everybody clad in; the windows and balconies all set with ladies, trumpets, music; and myriads of people flocking the streets and ways as far as Rochester, so as they were seven hours in passing the city, even from two in the afternoon 'til nine at night. I stood in the Strand and beheld it and blessed God. And all this without one drop of blood, and by that very army which rebelled against him. But it was the Lord's doing, and wonderful to our eyes [*et mirabile in oculis nostris*], for such a Restoration was never seen in the mention of any history ancient or modern, since the return from the Babylonian Captivity, nor so joyful a day and so bright ever seen in this nation. This happening when to expect or effect it was past all human policy.

VII

Epilogue

JOHN SELDEN'S *TABLE TALK*

JOHN Selden (1584-1654), jurist, parliamentarian, antiquarian, orientalist, was perhaps the most learned of a generation of Englishmen noted for learning. In Clarendon's words, "He was of so stupendous learning in all kinds and in all languages, . . . that a man would have thought he had been entirely conversant amongst books, and had never spent an hour but in reading and writing; yet his humanity, courtesy and affability was such that he would have been thought to have been bred in the best courts, but that his good nature, charity and delight in doing good, and in communicating all he knew, exceeded that breeding." A leader of the parliamentary cause during the 1620's he was imprisoned in the Tower of London in 1621 for his part in promoting the Protestation of the House of Commons, and again in 1629 for steering through the House the resolution against the illegal levying of tonnage and poundage. In 1647 parliament granted him five thousand pounds to compensate him for his sufferings under the monarchy. Yet his major work on international law, the *Mare clausum* (1635), was dedicated to Charles I and attained the status of a semi-official statement of British policy on the question of freedom of the seas. During the last twenty years of his life, Selden's witty and trenchant observations on the affairs of the time and on various topics of lasting interest were noted down by his amanuensis, the Reverend Richard Milward; after many delays they were published for the first

time in 1689. The events and emotions of his troubled age can be seen through Selden's eyes as part of the enduring human comedy; after the heat and passion of his contemporaries' utterances, Selden's cool detachment comes as a refreshing relief.

JOHN SELDEN—*TABLE TALK* (1634-1654)

Bible: In interpreting the Scripture many do as if a man should see one have ten pounds, which he reckoned by 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, meaning four was but four units, and five five units &c., and that he had in all but ten pounds. The other that sees him takes not the figures together as he doth, but picks here and there and thereupon reports that he hath five pounds in one bag, six pounds in another bag, and nine pounds in another bag, &c, when in truth he hath but ten pounds in all. So we pick out a text here and there to make it serve our turn. Whereas if we took it altogether, and considered what went before and what followed after, we should find it meant no such thing.

Bishops: They that would pull down the bishops and erect a new way of government, do as he that pulls down an old house and builds another in another fashion. There's a great deal ado, and a great deal of trouble; the old rubbish must be carried away, and the new materials must be brought; workmen must be provided; and perhaps the old one would have served as well.

Books: The giving a bookseller his price for his books has this advantage: he that will do so shall have the refusal of whatsoever comes to his hand, and so by that means get many things which otherwise he never should have seen. So 'tis in giving a bawd her price.

In answering a book, 'tis best to be short. Otherwise he that I write against will suspect I intend to weary him, not to satisfy him. Besides in being long I shall give my adversary a huge advantage: somewhere or other he will pick a hole.

To quote a modern Dutchman where I may use a classic author, is as if I were to justify my reputation, and I neglect all

persons of note and quality that know me and bring the testimonial of the scullion in the kitchen.

Ceremony: Of all people ladies have no reason to cry down ceremony, for they take themselves slighted without it. And were they not used with ceremony, with compliments and addresses, with legs and kissing of hands, they were the pitifullest creatures in the world. But yet (methinks) to kiss their hands after their lips, as some do, is like little boys that after they have eaten the apple fall to the paring, out of a love they have to the apple.

Changing Sides: The Lords that fall from the King, after they have got estates by base flattery at court, and now pretend conscience, do as a vintner, that when he first sets up, you may bring your wench to his house and do your things there; but when he grows rich he turns conscientious and will sell no wine upon the Sabbath-day.

Christians: The Turks tell their people of a Heaven where there is a sensible pleasure, but of a Hell where they shall suffer they don't know what. The Christians quite invert this order. They tell us of a Hell where we shall feel sensible pain, but of a Heaven where we shall enjoy we can't tell what.

Church: Heretofore the kingdom let the church alone, let them do what they would, because they had something else to think of, *viz.* Wars. But now in time of peace we begin to examine all things, will have nothing but what we like, grow dainty and wanton. Just as in a family, when the heir uses to go a-hunting he never considers how his meat is dressed, takes a bit and away; but when he stays within then he grows curious, he does not like this, nor does he like that, he will have his meat dressed his own way, or peradventure he will dress it himself.

The laws of the church are most favorable to the church, because they were the church's own making. As the Heralds are the best gentlemen, because they make their own pedigree.

Clergy: Though a clergyman have no faults of his own, yet the

faults of the whole tribe shall be laid upon him, so that he shall be sure not to lack.

House of Commons: The House of Commons is called the Lower House in twenty Acts of Parliament. But what are twenty Acts of Parliament amongst friends?

Contracts: Lady Kent articted with Sir Edward Herbert that he should come to her when she sent for him, and stay with her as long as she would have him, to which he set his hand. Then he articted with her that he should go away when he pleased, and stay away as long as he pleased, to which she set her hand. This is the epitome of all contracts in the world betwixt man and man, betwixt prince and subject: they keep them as long as they like them, and no longer.

Council: They talk (but blasphemously enough) that the Holy Ghost is President of their General Councils, when the truth is, the odd man is still the Holy Ghost.

Damnation: To preach long, loud, and Damnation is the way to be cried up. We love a man that damns us and we run after him again to save us. If a man had a sore leg, and he should go to an honest judicious surgeon, and he should only bid him keep it warm and anoint with such an oil (an oil well known) that would do the cure, haply he would not much regard him because he knows the medicine beforehand an ordinary medicine. But if he should go to a surgeon that should tell him, "Your leg will gangrene within three days, and it must be cut off, and you will die unless you do something that I could tell you," what listening there would be to this man! "Oh, for the Lord's sake, tell me what this is; I will give you any content for your pains."

Excommunication: If a bishop excommunicate a man for what he ought not, the judge has power to absolve, and punish the bishop. If they had that jurisdiction from God, why does not the church excommunicate for murder, for theft? If the civil power might take away all but three things, why may they not take them away too? If this excommunication were taken away, the

Presbyters would be quiet; 'tis that they have a mind to, 'tis that they would fain be at. Like the wench that was to be married: she asked her mother when 'twas done if she should go to bed presently. No, says her mother, you must dine first. And then to bed Mother? No, you must dance after dinner. And then to bed mother? No, you must go to supper. And then to bed Mother? &c.

Free Will: The Puritans, who will allow no free will at all, but God does all, yet will allow the subject his liberty to do or not to do notwithstanding the King, the God upon Earth. The Arminians, who hold we have free will, yet say when we come to the King there must be all obedience and no liberty to be stood for.

Humility: Humility is a virtue all preach, none practice, and yet everybody is content to hear. The master thinks it good doctrine for his servant, the laity for the clergy, and the clergy for the laity.

Images: 'Tis a discreet way concerning pictures in churches, to set up no new, nor to pull down no old.

Imprisonment: Sir Kenelm Digby was several times taken and let go again, at last imprisoned in Winchester House. I can compare him to nothing but a great fish that we catch and let go again, but still he will come to the bait; at last therefore we put him into some great pond for store.

Incendiaries: Fancy to yourself a man that sets the city on fire at Cripplegate, and that fire continues by means of others till it come to White-Friars; and then he that began it would fain quench it. Does not he deserve to be punished most that first set the city on fire? So 'tis with the incendiaries of the state. They that first set it on fire (by monopolizing, forest business, imprisoning Parliament men *tertio Caroli*, &c.) are now become regenerate and would fain quench the fire. Certainly they deserved most to be punished for being the first cause of our distractions.

Independency: The Pope challenges all churches to be under

him; the King and the two archbishops challenge all the Church of England to be under them. The Presbyterian man divides the kingdom into as many churches as there be presbyteries; and your Independent would have every congregation a church by itself.

Jews: Talk what you will of the Jews, that they are cursed, yet they thrive where'er they come. They are able to oblige the prince of their country by lending him money; none of them beg; they keep together. And for their being hated, my life for yours, Christians hate one another as much.

Judgments: We cannot tell what is a judgment of God; 'tis presumption to take upon us to know. In time of plague we know we want health; in time of war we know we want peace, and therefore we pray to God to give us peace. Commonly we say a judgment falls upon a man for something in him we cannot abide. An example we have in King James, concerning the death of Henri IV of France: one said he was killed for his wenching, another said he was killed for turning his religion. No, says King James (who could not abide fighting), he was killed for permitting duels in his kingdom.

King: A King is a thing men have made for their own sakes, for quietness' sake. Just as in a family one man is appointed to buy the meat; if every man should buy, or if there were many buyers, they would never agree. One would buy what the other liked not, or what the other had bought before, so there would be a confusion. But that charge being committed to one, he according to his discretion pleases all. If they have not what they would have one day, they shall have it the next, or something as good.

A King that claims privileges in his own country because they have them in another, is just as a cook that claims fees in one lord's house because they are allowed in another. If the master of the house will yield them, well and good.

King of England: The Court of England is much altered. At a solemn dancing, first you had the grave measures, then the corantoës and the galliards, and all this is kept up with ceremony. At length to trenchmore, and the cushion-dance; and then all

the company dance, lord and groom, lady and kitchen maid, no distinction. So in our Court, in Queen Elizabeth's time gravity and state were kept up. In King James's time things were pretty well. But in King Charles's time there has been nothing but trenchmore, and the cushion-dance, *omnium gatherum*, tolly-polly, *hoite cum toite*.

The King: 'Tis hard to make an accommodation between the King and the Parliament. If you and I fell out about money, you said I owed you twenty pounds, I said I owed you but ten pounds, it may be a third party allowing me twenty marks [13 and $\frac{1}{3}$ pounds] might make us friends. But if I said I owed you twenty pounds in silver, and you said I owed you twenty pounds of diamonds (which is a sum innumerable), 'tis impossible we should ever agree.

The King using the House of Commons as he did Mr. Pym and his company—that is, charging them with treason because they charged my Lord of Canterbury and Sir George Ratcliff—it was just with as much logic as the boy that would have lain with his grandmother used to his father: you lay with my mother, why should not I lie with yours?

The King's Oath is not security enough for our property; for he swears to govern according to law; now the judges they interpret the law; and what judges can be made to do we know.

The king calling his friends from the Parliament because he had use of them at Oxford, is as if a man should have use of a little piece of wood, and he runs down into the cellar and takes the spigot; in the meantime all the beer runs about the house. When his friends are absent, the King will be lost.

Learning: No man is the wiser for his learning. It may administer matter to work in, or objects to work upon; but wit and wisdom are born with a man.

The Jesuits and the lawyers of France and the Low-Country-men have engrossed all learning. The rest of the world make nothing but homilies.

'Tis observable that in Athens where the arts flourished they were governed by a democracy. Learning made them think

themselves as wise as anybody, and they would govern as well as others. And they spake, as it were by way of contempt, that in the east and in the north they had Kings. And why? Because the most part of them followed their business; and if some one man had made himself wiser than the rest, he governed them and they willingly submitted themselves to him. Aristotle makes the observation. And as in Athens the philosophers made the people knowing, and therefore they thought themselves wise enough to govern, so does preaching with us, and that makes us affect a democracy. For upon these two grounds we all would be governors: either because we think ourselves as wise as the best, or because we think ourselves the Elect and have the Spirit, and the rest a company of reprobates that belong to the Devil.

Libels: Though some make slight of libels, yet you may see by them how the wind sits. As take a straw and throw it up into the air, you shall see by that which way the wind is, which you shall not do by casting up a stone. More solid things do not show the complection of the times as well as ballads and libels.

Marriage: Of all actions of a man's life, his marriage does least concern other people; yet of all actions of our life 'tis most meddled with by other people.

Marriage is a desparate thing. The frogs in Aesop were extreme wise; they had a great mind to some water, but they would not leap into the well because they could not get out again.

Measure: We measure from ourselves; and as things are for our use and purpose, so we approve them. Bring a pear to table that is rotten, we cry it down, 'tis naught. But bring a medlar that is rotten and 'tis a fine thing. And yet I'll warrant you the pear thinks as well of itself as the medlar does.

We measure the excellency of other men by some excellency we conceive to be in ourselves. Nash, a poet, poor enough (as poets use to be), seeing an alderman with his gold chain upon his great horse, by way of scorn said to one of his companions, "Do you see yon fellow, how goodly, how big he looks? Why, that fellow cannot make a blank verse."

Nay, we measure the goodness of God from ourselves; we measure his goodness, his justice, his wisdom by something we

call just, good or wise in ourselves. And in so doing we judge proportionably to the country-fellow in the play, who said, if he were King he would live like a Lord, and have peas and bacon every day, and a whip that cried "Slash."

Money: Money makes a man laugh. A blind fiddler playing to a company, and playing but scurvily, the company laughed at him. His boy that led him, perceiving it, cried, "Father, let us be gone, they do nothing but laugh at you." "Hold thy peace, boy," said the fiddler, "we shall have their money presently, and then we will laugh at them."

Oaths: Now oaths are so frequent, they should be taken like pills—swallowed whole. If you chew them you will find them bitter. If you think what you swear 'twill hardly go down.

Oracles: Oracles ceased presently after Christ, as soon as nobody believed them. Just as we have no fortune tellers, nor wise men, when nobody cares for them. Sometime you have a season for them, when people believe them. And neither of these, I conceive, wrought by the Devil.

Opinion: Opinion and affection extremely differ. I may affect a woman best, but it does not follow I must think her the handsomest woman in the world. I love apples best of any fruit; it does not follow I must think apples to be the best fruit. Opinion is something wherein I go about to give reason why all the world should think as I think. Affection is a thing wherein I look after the pleasing of myself.

'Twas a good fancy of an old Platonic that the Gods which are above men had something whereof man did partake, an intellect, knowledge, and the Gods kept on their course quietly. The beasts, which are below man, had something whereof man did partake, sense and growth, and the beasts lived quietly in their way. But man had something in him whereof neither Gods nor beasts did partake, which gave him all the trouble and made all the confusion in the world. And that is opinion.

Parliament: Dissentions in Parliament may at length come to a good end, though first there be a deal of do and a great deal of noise, which mad wild folks make. Just as in brewing of wheat-beer there's a great deal of business in grinding the malt, and

that spoils any man's clothes that comes near it; then it must be mashed; then comes a fellow in and drinks of the wort, and he's drunk; then they keep a huge quarter when they carry it into the cellar; and a twelvemonth after 'tis delicate fine beer.

The Parliament Party do not play fair play in sitting up till two of the clock in the morning to vote something they have a mind to. 'Tis like a crafty gamester that makes the company drunk then cheats them of their money. Young men and infirm men go away. Besides, a man is not there to persuade other men to be of his mind, but to speak his own heart, and if it be liked—so; if not, there's an end.

Peace: Though we had peace, yet 'twill be a great while ere things be settled. Though the wind lie, yet after a storm the sea will work a great while.

Pleasure: 'Tis a wrong way to proportion other men's pleasures to ourselves. 'Tis like a child's using a little bird: "Oh, poor bird, thou shalt sleep with me"; so lays it in his bosom and stifles it with his hot breath. The bird had rather be in the cold air. And yet too 'tis the most pleasing flattery to like what other men like.

'Tis most undoubtedly true that all men are equally given to their pleasure; only thus, one man's pleasure lies one way, and another's another. Pleasures are all alike simply considered in themselves: he that hunts, or he that governs the commonwealth, they both please themselves alike, only we commend that whereby we ourselves receive some benefit, as if a man place his delight in things that tend to the common good. He that takes pleasure to hear sermons enjoys himself as much as he that hears plays; and could he that loves plays endeavor to love sermons, possibly he might bring himself to it as well as to any other pleasure. At first it may seem harsh and tedious, but afterwards 'twould be pleasing and delightful. So it falls out in that which is the great pleasure of some men, tobacco. At first they could not abide it and now they cannot be without it.

Pope: He was a wise Pope that when one that used to be merry with him before he was advanced to the Popedom refrained afterwards to come at him (presuming he was busy in governing the Christian world), the Pope sends for him, bids him come again,

and, says he, "We will be merry as we were before, for thou little thinkest what a little foolery governs the whole world."

Power: They that govern most make least noise. You see when they row in a barge, they that do drudgery-work slash and puff and sweat; but he that governs sits quietly at the stern and scarce is seen to stir.

In a troubled state we must do as in foul weather upon the Thames, not to cut directly through—so, the boat may be quickly full of water; but rise and fall as the waves do, give as much as conveniently we can.

Prayer: There were some mathematicians that could with one fetch of their pen make an exact circle, and with the next touch point out the center. Is it therefore reasonable to banish all use of the compasses? Set forms are a pair of compasses.

Prayer should be short, without giving God Almighty reasons why he should grant this or that. He knows best what is good for us. If your boy should ask you a suit of clothes and give you reasons ("otherwise he cannot wait upon you; he cannot go abroad but he will discredit you"), would you endure it? You know it better than he; let him ask a suit of clothes.

'Tis hoped we may be cured of our extemporary prayers the same way the grocer's boy is cured of his eating plums: when we have had our belly full of them.

Preaching: In preaching, they do by men as writers of romances do by their chief knights: bring them into many dangers, but still fetch them off. So they put men in fear of Hell, but at last they bring them to Heaven.

Preachers say, "Do as I say, not as I do." But if the physician had the same disease upon him that I have, and he should bid me do one thing, and he do quite another, could I believe him?

Preaching the same sermon to all sorts of people is as if a school-master should read the same lesson to his several forms. If he reads *amo*, *amas*, *amavi*, the highest forms laugh at him, the younger admire him. So 'tis in preaching to a mixed auditory. *Objection:* but it cannot be otherwise, the parish cannot be divided into several forms; what must the preacher then do in discretion? *Answer:* why, then let him use some expressions by which this or that condition of people may know such doctrine

does more especially concern them; it being so delivered that the wisest may be content to hear. For if he delivers it all together and leaves them to single out what belongs to themselves (which is the usual way), 'tis as if a man would bestow gifts upon children of several ages (two years old, four years old, ten years old, &c.) and there he brings tops, pins, points, ribands, and casts them all in a heap together upon a table before them. Though the boy of ten years old knows how to choose his top, yet the child of two years old, that should have a riband, takes a pin, and the pin ere he be aware pricks his fingers, and then all's out of order, &c. Preaching, for the most part, is the glory of the preacher, to show himself a fine man. Catechising would do much better.

First in your sermons use your logic, and then your rhetoric. Rhetoric without logic is like a tree with leaves and blossoms but no root. Yet I confess more are taken with rhetoric than logic, because they are caught with a free expression when they understand not reason. Logic must be natural or it is worth nothing at all; your rhetoric figures may be learned. That rhetoric is best which is most seasonable and most catching. An instance we have in that old blunt commander at Cadiz, who showed himself a good orator. Being to say something to his soldiers, which he was not used to do, he made them a speech to this purpose: "What a shame will it be, you Englishmen, that feed upon good beef and brewess, to let those rascally Spaniards beat you, that eat nothing but oranges and lemons." And so put more courage into his men than he could have done with a more learned oration. Rhetoric is very good, or stark naught; there's no medium in rhetoric. If I am not fully persuaded, I laugh at the orator.

Preferment: A great place strangely qualifies. John Read, groom of the chamber to my Lord of Kent, was in the right. Attorney Noy being dead, some were saying, "How will the King do for a fit man?" "Why, any man (says John Read) may execute the place." "I warrant (says my Lord) thou think'st thou understand'st enough to perform it." "Yes," quoth John, "let the King make me Attorney, and I would fain see that man that durst tell me there's anything I understand not."

When the pageants are a-coming there's a great thrusting and

a riding upon one another's backs to look out at the window. Stay a little and they will come just to you, you may see them quietly. So 'tis when a new statesman or officer is chosen; there's great expectation and listening to know who it should be. Stay a while and you may know quietly.

Some of the Parliament were discontented, that they wanted places at Court which others had got. But when they had them once, then they were quiet. Just as at a christening some that get no sugar-plums, when the rest have, mutter and grumble. Presently the wench comes again with her basket of sugar-plums, and then they catch and scramble, and when they have got them you hear no more of them.

Presbytery: The Presbyter with his Elders about him is like a young tree fenced about with three or four stakes. The stakes defend it and hold it up, but only the tree flourishes. It may be some willow-stake may bear a leaf or two, but it comes to nothing. Lay-elders are stakes, the Presbyter the tree that flourishes.

When the Queries were sent to the Assembly concerning the *Jus Divinum* of Presbytery, their asking time to answer them was a satire upon themselves. For if it were to be seen in the text, they might quickly turn to the place and show us it. Their delaying to answer makes us think there's no such thing there. They do just as you have seen a fellow do at a tavern reckoning, when he should come to pay his reckoning. He puts his hands into his pockets and keeps a-grabbling and a-fumbling, and shaking, at last tells you he has left his money at home. When all the company knew at first he had no money there; for every man can quickly find his own money.

Priests of Rome: When the priests come into a family, they do as a man that would set on fire a house: he does not put fire to the brick wall, but thrusts it into the thatch. They work upon the women and let the men alone.

For a priest to turn a man when he lies a-dying, is just like one that hath a long time solicited a woman and cannot obtain his end. At length he makes her drunk, and so lies with her.

Question: When a doubt is propounded, you must learn to distinguish, and show wherein a thing holds and wherein it does not

hold. The not distinguishing where things should be distinguished, and the not confounding where things should be confounded, is the cause of all the mistakes in the world.

Reason: The reason of a thing is not to be enquired after till you are sure the thing itself be so. We commonly are at "What's the reason of it?" before we are sure of the thing. 'Twas an excellent question of my Lady Cotton, when Sir Robert Cotton was magnifying of a shoe which was Moses's or Noah's, and wondering at the strange shape and fashion of it: "But, Mr. Cotton," says she, "are you sure it *is* a shoe?"

Retaliation: "An eye for an eye, and a tooth for a tooth." That does not mean that if I put out another man's eye therefore I must lose one of my own (for what is he the better for that?), though this be commonly received; but it means I shall give him what satisfaction an eye shall be judged to be worth.

Reverence: 'Tis sometimes unreasonable to look after respect and reverence either from a man's own servant or other inferiors. A great lord and a gentleman talking together, there came a boy by leading a calf with both his hands. Says the lord to the gentleman, "You shall see me make the boy let go his calf." With that he came towards him, thinking the boy would have put off his hat. But the boy took no notice of him. The lord seeing that, "Sirrah," says he, "do you not know me, that you use no reverence?" "Yes," says the boy, "if your Lordship will hold my calf, I will put off my hat."

Religion: King James said to the fly, "Have I three kingdoms, and thou must needs fly into my eye?" Is there not enough to meddle with upon the stage, or in love, or at the table, but religion?

Religion is like the fashion: one man wears his doublet slashed, another laced, another plain; but every man has a doublet. So every man has his religion. We differ about trimming.

Alteration of religion is dangerous, because we know not where it will stay. 'Tis like a millstone that lies upon the top of a pair of stairs; 'tis hard to remove it, but if once it be thrust off the first stair, it never stays till it comes to the bottom.

Disputes in religion will never be ended, because there wants

a measure by which the business would be decided. The Puritan would be judged by the Word of God. If he would speak clearly, he means himself, but he is ashamed to say so. And he would have me believe him before a whole church that have read the Word of God as well as he. One says one thing and another another; and there is, I say, no measure to end the controversy. 'Tis just as if two men were at bowls and both judged by the eye. One says 'tis his cast, the other says 'tis my cast; and having no measure the difference is eternal. Ben Jonson satirically expressed the vain disputes of divines by Rabbi Busy disputing with a puppet in his *Bartholomew Fair*. It is so; it is not so; it is so; it is not so—crying thus one to another a quarter of an hour together.

'Tis to no purpose to labor to reconcile religions when the interest of princes will not suffer it. 'Tis well if they could be reconciled so far that they should not cut one another's throat.

The very *arcanum* of pretending religion in all wars is that something may be found out in which all men may have interest. In this the groom has as much interest as the lord. Were it for land, one has one thousand acres and the other but one; he would not venture so far as he that has a thousand. But religion is equal to both. Had all men land alike, by a *Lex Agraria*, then all men would say they fought for land.

Sacrament: Christ suffered Judas to take the Communion. Those ministers that keep their parishoners from it, because they will not do as they will have them, revenge rather than reform.

State: In a troubled state save as much for your own as you can. A dog had been at market to buy a shoulder of mutton; coming home he met two dogs by the way that quarrelled with him. He laid down his shoulder of mutton and fell to fighting with one of them. In the meantime the other dog fell to eating his mutton. He, seeing that, left the dog he was fighting with and fell upon him that was eating; then the other dog fell to eat. When he perceived there was no remedy, but which of them soever he fought withal, his mutton was in danger, he thought he would save as much of it as he could, and thereupon gave over fighting and fell to eating himself.

Traitor: 'Tis not seasonable to call a man traitor that has an army at his heels. One, with an army, is a gallant man.

Trinity: The second person is made of a piece of bread by the Papist; the third person is made of his own frenzy, malice, ignorance and folly by the Roundhead. To all these the spirit is intitled. One the baker makes, the other the cobbler. And betwixt these two I think the first person is sufficiently abused.

War: Do not under-value an enemy by whom you have been worsted. When our countrymen came home from fighting with the Saracens, and were beaten by them, they pictured them with huge, big, terrible faces (as you still see the sign of The Saracen's Head is), when in truth they were like other men. But this they did to save their own credits.

Question: whether may subjects take up arms against their prince? *Answer:* conceive it thus—here lies a shilling betwixt you and me; ten pence of the shilling is yours, two pence is mine by agreement; I am as much king of my two pence as you of your ten pence. If you therefore go about to take away my two pence, I will defend it, for there you and I are equal, both princes.

To know what obedience is due to the prince, you must look into the contract betwixt him and his people. As if you would know what rent is due from the tenant to the landlord, you must look into the lease. When the contract is broken, and there is no third person to judge, then the decision is by arms. And this is the case between the prince and the subject.

Question: what law is there to take up arms against the prince, in case he break his covenant? *Answer:* though there be no written law for it, yet there is custom, which is the best law of the kingdom; for in England they have always done it. There is nothing expressed between the King of England and the King of France that if either invades the other's territory the other shall take up arms against him; and yet they do it upon such an occasion.

'Tis all one to be plundered by a troop of horse or to have a man's goods taken from him by an order from the council table. To him that dies 'tis all one whether it be by a penny halter or a silk garter. Yet I confess, the silk garter pleases more, and like trouts we love to be tickled to death.

We govern this war as an unskillful man does a casting-net: if he has not the right trick to cast the net off his shoulder the

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leads will pull him into the river. I am afraid we shall pull ourselves into destruction.

Wife: 'Tis reason a man that will have a wife should be at the charge of her trinkets, and pay all the scores she sets on him. He that will keep a monkey, 'tis fit he should pay for the glasses he breaks.

Wisdom: Wise men say nothing in dangerous times. The lion, you know, called the sheep to ask her if his breath smelt: she said Aye; he bit off her head for a fool. He called the wolf and asked him: he said No; he tore him in pieces for a flatterer. At last he called the fox and asked him: truly he had got a cold and could not smell.

Wit: Wit and wisdom differ. Wit is upon the sudden turn; wisdom is in bringing about ends.

Wit must grow like fingers. If it be taken from others 'tis like plums stuck upon blackthorn: there they are for a while, but they come to nothing.

Fine wits destroy themselves with their own plots, in meddling with great affairs of state. They commonly do as the ape that saw the gunner put bullets in the cannon and was pleased with it, and he would be doing so too. At last he puts himself into the piece, and so both ape and bullet were shot away together.

Women: Men are not troubled to hear a man dispraised, because they know, though he be naught, there's worth in others. But women are mightily troubled to hear any of them spoken against, as if the sex itself were guilty of some unworthiness.

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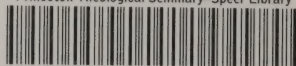
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